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NEW YORK, NEW YORK 10104  
(212) 660-3000  
FAX NO. (212) 660-3001

January 30, 2004

**CERTIFIED MAIL NO. 7000 0600 0024 7007 5604**  
**RETURN RECEIPT REQUESTED**

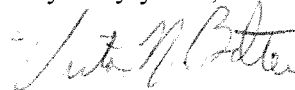
U.S. Environmental Protection Agency  
Martha Bosworth, Enforcement Coordinator  
Office of Site Remediation and Restoration (HBS)  
One Congress Street, Suite 1100  
Boston, Massachusetts 02114  
Attn: Wells G&H Case Team

Re: Whitney Barrel Company at Wells G&H Superfund Site

Dear Ms. Bosworth:

This firm represents Samuel Cabot Incorporated. I have enclosed Samuel Cabot Incorporated's response to EPA's Information Request regarding the Whitney Barrel site. If you have any questions on this, please phone me.

Very truly yours,



Victor N. Baltera

VNB:dg

Enc.

cc: Mary Jane O'Donnell (w/o enc.)  
John Anderson (w/enc.)  
William F. McGonigle (w/o enc.)

0052-0002

Samuel Cabot Incorporated  
Response to Request for Information concerning  
the former Whitney Barrel Company at the Wells G&H Superfund Site

[Person(s) who provided information relied on in answering questions denoted by ( )]

We note that the EPA's Information Request is addressed to Samuel Cabot Construction. We have never used that name, and we do not know who Samuel Cabot Construction is. We are responding to EPA's request as if it were addressed to Samuel Cabot Incorporated.

Many of the questions are identical to EPA's 1994 information request for the Turchin Junkyard, and we consulted our answer ("1994 Response") to that request in responding to these questions.

1. **General Information About Samuel Cabot Incorporated**

a. Full Legal Name & Mailing Address (McGonigle)

Samuel Cabot Incorporated  
100 Hale Street  
Newburyport, MA 01950

b. For Each Person Answering These Questions on Behalf of Samuel Cabot Incorporated, provide: (McGonigle)

John Schutz  
President  
Samuel Cabot Incorporated  
100 Hale Street  
Newburyport, MA 01950

Phone: 508-465-1900

c. Person Designated for Future Correspondence Regarding This Site (McGonigle)

William F. McGonigle  
Treasurer and Vice President-Finance  
Samuel Cabot Incorporated  
100 Hale Street  
Newburyport, MA 01950

508-465-1900

d. Provide the Names of all Superfund Sites in Region I (New England) for which Samuel Cabot Incorporated has Received a Request for Information from EPA (Anderson, Gihlstrorf, 1994 Response)

Turchin Junkyard – Tilton, NH

The Solvents Recovery Service of New England-Southington, CT

Cannon Superfund Sites:

- A. Bridgewater, MA
- B. Plymouth, MA
- C. Tinkhans Garage Site  
Londonderry, NH
- D. Gilson Road Site  
Nashua, NH

2. **Samuel Cabot Incorporated's Legal Status**

- a. Doing Business Under Any Other Name: Cabot's Stains, Cabot Stains (not registered as a d/b/a) (Papenfuss, McGonigle)
- b. If Samuel Cabot Incorporated is a Corporation, provide: (McGonigle)
  - i. Date of Incorporation: 1907
  - ii. State of Incorporation: Massachusetts
  - iii. Agent for Service of Process: Sullivan & Worcester LLP  
Attn: Christopher Cabot
- c. If Respondent was a Business Entity Other Than a Corporation: N/A (McGonigle)
- d. Respondent Affiliated with Another Corporation: N/A (McGonigle)
- e. Respondent's Predecessors-in-Interest: N/A (McGonigle)
- f. Respondent No Longer Exists as the Same Legal Entity: N/A (McGonigle)
- g. Respondent Filed for Bankruptcy: N/A (McGonigle)

3. **Respondent's Operations** (Anderson, Gihlstrorf)

- a. Address of Plants (Anderson, Gihlstrorf)  
  
Samuel Cabot Incorporated (Discontinued)  
229 Marginal Street  
Chelsea, MA 02150  
  
Samuel Cabot Incorporated (starting August 1985)  
100 Hale Street  
Newburyport, MA 01950
- b. Nature of Operations at Each Location
  - i. Chelsea, MA (Gihlstrorf, 1994 Response)

### Still Operation:

1877 - 1976 with a short interruption for rebuilding after the Great Chelsea Fire in 1908. The Company purchased coal tar from Boston Edison and transported the material in Company ships to Cabot's Chelsea location where it was distilled into creosote oil and pitch. The pitch was sold as a roofing material while the creosote oil was used in the manufacture of wood stain and other consumer products such as tree healing paint, tasgon, gutter paint, and so forth. The still operation was discontinued in 1976 and dismantled in 1979.

Prior to 1975, the manufacture of wood stain consisted of collecting a variety of combustible solvents (mineral spirits, kerosene, heavy aromatic naphtha, and oils such as creosote oil, linseed oil, fish oil, and pigments) in a chaser mill where the ingredients were mixed and blended with some size reduction also occurring and commonly referred to as "grinding."

The manufacturing procedure from 1975 to the close of the plant in 1985 used a high-speed disperser to mix and blend the same ingredients; however, no size reduction occurred.

Following the mixing, blending, and grinding procedure, other rheological ingredients were added as the batch was standardized. Once the product was standardized for color and specific gravity, it was packaged in pint, quart, gallon, 5-gallon, and 55-gallon containers.

#### ii. Newburyport, MA (Anderson, Gihlstorff)

This plant has been in operation since 1985. Because of its design to control and prevent pollution, it is considered to be a "state-of-the-art" facility. The plant uses high-speed dispersers to mix and blend the various ingredients to produce a wide range of wood stain including opaque stains, semi-solid stains, semi-transparent stains, decking stains, and PTW stains.

#### c. Chemical Constituents at the Site (Anderson, Gourlay)

Chemical constituents on EPA Enclosure F which were produced, processed or used in Samuel Cabot operations or present in materials produced, processed or used in our operations are:

C9-C18 aliphatic hydrocarbons. Aluminum, chromium, cobalt, lead, magnesium, mercury, calcium, copper, iron, and manganese. Methyl isobutyl ketone (MIBK).

#### d. Changes in Operations (Anderson, 1994 Response)

See "b" above. Our major products manufactured include stains and paints. See also "3e."

#### e. List of Products (Gihlstorff, 1994 Response)

A list of the products manufactured by Samuel Cabot Incorporated is enclosed. See Appendix I.

The Chelsea and Newburyport sites manufactured the whole range of Cabot products in the Company's line of products at the time of their operation.

f. Types of Raw Materials Used (Anderson, Gihlstorf, 1994 Response)

The manufacture of wood stain involves the use of combustible solvents, pigments, driers, oils, and other rheological ingredients.

Beginning in about 1983, we recycled wash solvent into subsequent batches which are compatible in color and formulation.

g. Cleaning & Maintenance of Equipment (Gihlstorf, 1994 Response)

i. The cleaning of the chaser mills and dispersers is accomplished by withholding a small amount of mineral spirits from the batch to be used in the cleanup. The mills and dispersers are flushed with this solvent until they are clean, and the solvent is then pumped back into the batch and becomes part of the final formulation. Filters and fillers are cleaned by flushing with mineral spirits, and the spent solution is sent to a holding tank where it is used in subsequent batches. We do not have information on how the Chelsea still was cleaned.

ii. The amount used annually depends on the number of batches made per year. From 1980 – 1985 our plants averaged between 750 and 1,100 batches per year. Batches were typically 1,000 gallons or less, but some may have been up to 3,000 gallons. We have no information before 1980.

h. Spill Clean-Up Methods (Gihlstorf)

There were no spills in the Newburyport plant during the period being investigated other than occasional, minor operational spills which were cleaned up using Speedi-Dri and/or rags. This material would then have been put into the trash, used in the process, or, if hazardous waste, sent to Ashland Chemical or Triumvirate Environmental. At Chelsea, minor operational spills would have been dealt with the same way after 1980. Before 1980, they may have been mixed with sawdust, concrete or Speed-Dri and disposed of in the trash.

Chelsea, MA - Spill #1 (1994 Response)

i. Type of Materials Spilled

September 12, 1973: A spill of coal tar from a holding tank at the Chelsea site apparently caused by a disgruntled employee in the nighttime. Cleanup by the Morelli Maintenance Corp., 385 Elliott Street, Newton Upper Falls, MA 02164 and Coastal Services, 22 River Street, Braintree, MA 02184.

ii. Materials Used to Clean Up Spills

Sand, floating boom, vacuum truck, and vacuum barge.

iii. Methods Used to Clean Up Spills

Material was vacuumed into truck and barge.

iv. Disposal Site of Cleaned Up Material (Gihlstorff)

Unknown.

Chelsea, MA - Spill #2 (1994 Response)

i. Type of Materials Spilled

February 4, 1983: #4 Fuel Oil

ii. Materials Used to Clean Up Spills

Sand, floating boom, absorbent pads, vacuum truck, Bobcat.

iii. Methods Used to Clean Up Spills

Mixed sand with oil and collected with Bobcat. Used sausage booms and absorbent pads to collect oil on the water.

iv. Disposal Site of Cleaned Up Material (Gihlstorff)

Handled by Coastal Services under Hazardous Waste Manifest:

M5741, 5744, 5745, MA2209, MA5846, MA5848, MA5847, MA 10557, and MA10556.

Sent to: Peabody Clean Industry  
170 Border Street  
E. Boston, MA 02128

CECOS International  
4528 Royal Avenue  
Niagara Falls, NY 14302

Chelsea, MA - Spill #3 (1994 Response)

i. Type of Materials Spilled (Gihlstorff)

March 6, 1983: #4 Fuel Oil

ii. Materials Used to Clean Up Spills (Gihlstorff)

Sand and shovel.

iii. Methods Used to Clean Up Spills (Gihlstorff)

Shovel used to mix sand and oil then transferred to other hazardous waste in process at the time.

iv. Disposal Site of Cleaned Up Material (Gihlstorff)

Unknown: Quantity was only one gallon and was cleaned up and handled by the regular Chelsea work crew and was commingled with other hazardous waste.

i. Schematic Diagram (Gihlstorff, 1994 Response)

Schematic diagrams for Chelsea and Newburyport included.

j. Former or Current Employees or Other Persons with Knowledge

See attachment for additional identifying information.

John Gihlstorff

Edward Doherty

Jean-Yves Gourlay

Samuel Cabot

Richard Papenfuss

John Anderson

We are not aware of anyone who had contact with Whitney Barrel Company.

4. Wastes & Waste Streams

a. Waste Survey (Papenfuss)

See attached.

b. Each Type of Waste from Samuel Cabot Incorporated's Operations (Papenfuss)

A. Asbestos Pipe Insulation from Remodeling: White solid, 4 ft from disposal each in 1984 and 1985.

B. Naphthalene: Off-white solid; odor unknown; 65 yd. for disposal in 1981.

C. Waste Stains/Sawdust: Mixture of off-spec stains and sawdust to form a solid of various colors of gray, brown, red, and blue consisting of mineral spirits, linseed oil, inert pigments with a mild solvent smell; 1,756 drums from 1983-1985.

- D. Latex Wash Water: Liquid with very low solids, cloudy gray and brown color; slight ammonia smell; 75 drums and 1,750 gallons from 1984-1985.
- E. Wash Solvents: Low solids liquid with mineral spirits, kerosene, and high aromatic naphtha; gray/brown color; mild solvent smell; 3,500 gallons from 1985.
- F. Mixed Solvents: Clear liquid with solvent smell of mineral spirits and high aromatic naphtha; 4,129 gallons from 1985.
- G. Sawdust/Linseed Oil: Amber liquid with sawdust to form a solid; mild odor; 76 drums from 1984-1985.
- H. Off-Spec Stain: Gray/brown liquid with some solids consisting of mixed petroleum solvents, linseed oil, alkyd resin, inert pigments; mild solvent odor; 3,932 gallons in 1984.
- I. Tank Bottoms: High viscosity dark brown/black liquid mixture of asphalt and coal tar; petroleum smell; 233 drums from 1983.
- J. Oily Dirt from Spill: Mixture of dirt and heavy petroleum distillates; dark brown to black in color with a petroleum smell; 68,360 lbs. and 40 yd. from 1983.
- K. Tank Cleanings: Viscous dark brown petroleum-based sludge with a petroleum smell; 60 drums and 600 gallons from 1981 and 1983.
- L. Oil/Water from Spill: Mixture of petroleum distillates and water; two-phase with a petroleum smell; 9,600 gallons from 1983.
- M. Fiber Drums: Brown Kraft paper fiber drums previously used for shipping and storing various liquid and solid raw materials. Empty drums put into dumpster for disposal by trash hauler, BFI or others. Amounts and dates unknown.
- N. Steel Cans, Pails, Drums: Damaged and dirty one-gallon cans from production, damaged and dirty five-gallon pails from production, and raw material usage and a few damaged 55-gallon drums from raw material usage. Empty containers put into the dumpster for disposal by trash hauler, BFI or others. Amounts and dates unknown.
- O. Corrugated Packaging: Brown and white corrugated Kraft paper packaging materials from in-house use, raw material shipments, and supply shipments. Materials were put into dumpster for disposal by trash hauler, BFI or others. Amounts and dates unknown.
- P. Plastic Wrap: Clear and colored polyethylene stretch wrap and shrink wrap from raw material pallets. Material was put into the



dumpster for disposal by trash hauler, BFI or others. Amounts and dates unknown.

- Q. Paper Bags: Brown and white Kraft multi-wall paper bags from shipments of dry powdered raw materials. Bags were put into dumpster for disposal by trash hauler, BFI or others. Amounts and dates unknown.
- R. Speedi-Dri Absorbent: Used to clean up various oil and stain spills, when dry, material was placed into dumpster for disposal by trash hauler, BFI or others. Amounts and dates unknown.
- S. Cotton Rags: Used to wipe up small spills and wipe oil, grease, and stain off equipment. Usually soaked in water to prevent spontaneous combustion before being put into dumpster for disposal by trash hauler, BFI or others. Amounts and dates unknown.

We do not have information for periods before 1980.

- c. Description of how Waste was Collected & Stored Prior to Disposal (Gihlstorff, 1994 Response)

Waste described in "b" above was collected in 55-gallon drums and either mixed with sawdust to solidify the contents or the drum was pumped into a larger tanker and then transported. Waste drums were stored on cement floors. Regular trash was collected and disposed of in a dumpster.

- d. Person(s) Responsible for Collecting & Managing Each Type of Waste (Gihlstorff, 1994 Response)

Gus Herman - Plant Superintendent 1938-1978 (Deceased); Howard Rust - Plant Superintendent 1959-1985 (Deceased); Mark Stairs - Plant Superintendent 1981-1987. (See attachment for additional identifying information.)

- e. Surveys or Studies About Waste Management Practices (Anderson, Gihlstorff, Papenfuss)

None.

- f. Former or Current Employees or Other Persons with Knowledge

John Gihlstorff

Richard Papenfuss

We are not aware of anyone who had contact with Whitney Barrel Company.

5. Disposal/Treatment/Storage/Recycling/Sale of Waste

- a. Individuals who Currently Have or Have Had Responsibility for Disposal of Waste (Anderson, Gihlstorff, 1994 Response)

Richard Papenfuss, Plant Superintendent, currently has such responsibility. Persons with responsibilities in earlier periods are listed in "4d" above.

- b. Individuals who Currently Have or Have Had Knowledge of Disposal of Waste (Anderson, Gihlstorff)

See "5a." above. Also Edward Doherty, Senior Lab Technician, has knowledge of empty barrels.

- c. Individuals who Currently Have or Have Had Responsibility for Environmental Matters (Anderson, Gihlstorff, Papenfuss, 1994 Response)

Brendan Lane – Process Engineer 2002 - present

Richard Papenfuss - Plant Superintendent 1987 - present  
Newburyport operations

John Gihlstorff - Manufacturing Manager 1980 – 1997  
Chelsea & Newburyport operations  
(Retired)

Howard Rust – Plant Superintendent 1959 - 1985  
Chelsea operations  
(Deceased)

Mark Stairs – Plant Superintendent 1970 - 1987  
Chelsea & Newburyport operations  
(No longer employed)

Gus Herman - Plant Superintendent 1938 - 1978  
(Deceased)

- d. For the Previous Three Responses Provide each Individual's Job Description. Length of Time on Job & Nature of Information Possessed by Individual (Anderson, Gihlstorff, 1994 Response)

See "5c." above and the attached job descriptions.

- e. Waste Containers (Papenfuss)

For most of the periods we do not have information. For materials on manifest:

In order of decreasing volume, waste was shipped in 55-gallon drums, tank trucks, dumpsters, bags, and cartons.

The drums were black open-head 17H drums. Very few were any other color. There were no distinctive markings on the drums. The only labeling would be the standard hazardous waste label with the Company name and address, EPA ID number, content description, and UN/NA number. Most of these drums were purchased from a drum recycler with a limited number coming from the use of raw materials in the plant.

The tank trucks were the standard over-the-road, 5,000-7,000 gallon capacity tankers as supplied by the waste haulers.

The dumpsters used were 30 yd., open top, roll off containers as supplied by the waste hauler.

Very small shipments of asbestos were contained in poly bags. Lab pack chemicals were contained in corrugated and wooden cartons.

f. Contracts/Agreements for Waste Disposal (Papenfuss)

Typically, a licensed handler of hazardous waste is contacted and told of a waste needing disposal. As a rule, there is no contract or agreement beyond the understanding they are licensed and insured to handle the particular waste. BFI contract dated 1985 included. We have no information for earlier periods.

g. Copies of Contracts/Agreements (Gihlstrorf)

See "5f."

h. Locations Where Waste was Sent (Doherty, Gihlstrorf, Papenfuss)

1950-1985 - Chelsea: Attempts to locate information on Chelsea trash hauler have failed. The trash hauler was purchased by a larger company, and we cannot determine the buyer. Empty barrels were on occasion sent to American Barrel on Canter Street in Chelsea, Massachusetts. Mr. Doherty and Mr. Gihlstrorf recall that in 1980 there were several hundred barrels with wash solvent that had been collected over the years at the Chelsea plant. The wash solvent was subsequently used in the manufacturing process, and the number of barrels then was reduced by shipments to American Barrel.

1985 - Newburyport: Browning Ferris Industries (BFI). Plant trash was sent to either the incinerator in North Andover, MA, or to a Boston-area collection point for further disposal. See Appendix III.

i. Waste Carriers (Doherty, Papenfuss, 1994 Response)

Those we are aware of are:

Suffolk Services Incorporated  
98 Taylor Street  
Boston, MA 02122  
617/825-9045 617/825-9043  
MAD049440951

Clean Industry Incorporated  
Peabody Clean Industry Incorporated  
170 Border Street  
E. Boston, MA 02128  
617/567-6500  
MAD0066588906

Price Trucking  
67 Beacon Street  
Buffalo, NY 14220  
800/828-1043  
NYD046765574

Solvent Recovery Services of NE Incorporated  
Lazy Lane  
Southington, CT 06489  
203/628-8084  
CTD009717604

SCA Chemical Services Incorporated (Clean Harbors of Boston)  
385 Quincy Avenue  
Braintree, MA 02184  
617/849-1800  
MADD053452637

Emergency Technical Services Corp.  
Rte. 515  
Vernon, NJ  
201 /697-4424  
NJD000692053

Clean Harbors  
P.O. Box 193  
Kingston, MA 02364  
617/585-5111  
MAD039322250

Environmental Transfer Corp. NJD99129184 (No additional information known.  
May be part of Advanced Environmental Technical Corp., Goldmine Road,  
Flanders, NJ 07836; NJD080631369.)

Clean Harbors of Natick Incorporated  
10 Mercer Road  
Natick, MA 01760  
MAD980523203

Environmental Waste Resources  
130 Freight Street  
Waterbury, CT 06725  
203/755-2283  
CTD072138969

Northeast Solvents Reclamation Corp.  
300 Canal Street                      221 Sutton Street  
Lawrence, MA 01840                  N. Andover, MA 01845  
MAD000604447                      508/683-1002

Browning-Ferris Industries  
164 Market Street  
Brighton, MA 02135

Barrels were picked up by  
American Barrel  
Carter Street  
Chelsea, MA 02150

j. Transported Waste (Papenfuss)

Samuel Cabot Incorporated did not transport any of its own wastes from 1981-1985. Information on prior periods is unknown, but it is unlikely any waste was transported.

k. Waste Type Waste Carrier (Papenfuss, Doherty)

See Appendix III.

l. Frequency Waste was Picked Up (Papenfuss, Doherty)

See Appendix III. We do not know how frequently American Barrel picked up barrels.

m. Volume of Waste Picked Up (Papenfuss, Doherty)

See Appendix III. We have no information on the volume of barrels disposed of.

n. Dates Waste was Picked Up (Papenfuss)

See Appendix III. We do not know the dates on which American Barrel picked up barrels.

o. Documents Containing Information Regarding Previous Seven Questions (Papenfuss)

See Waste Manifests.

p. Waste Carriers' Employees who Collected Waste (Papenfuss)

See Appendix III.

q. Ultimate Disposal Site (Papenfuss)

The ultimate disposal site for the waste is chosen by the waste handler and in many cases is unknown to us. Those that are known include:

Naphthalene:	Sent to a secure landfill near Baltimore, MD
Flammable Solids:	Sent to SCA Chemical Services secure landfill in Pinewood, SC
Combustible Liquids, Sludges, Solids to:	Rollins Environmental - Incineration Norlite Corp. - Incineration Marine Shale Processors - Thermal Oxidation Heritage Environmental - Thermal Oxidation Tricil Incorporated - Incineration

Non-Hazardous Latex: Sent to GSX Services of SC - Secure landfill

Trash sent to incinerator in North Andover, MA, or Boston area collection station.

r. Documents Indicating Ultimate Disposal Location (Papenfuss)

See Appendix III.

s. How Samuel Cabot Incorporated Managed Pickups of Waste (Papenfuss, Doherty)

Waste was segregated by type. When a determination was made that the material had no rework potential, the decision was made to dispose of it. A waste handler would be called for a quote if it was a new waste stream. If the price was agreeable, a call would be made for pickup and disposal of the waste. When an invoice for the pickup and disposal was received, the Accounting Dept. would issue a check after a signoff by the appropriate staff member. The check was sent directly to the waste carrier. See enclosed invoices for the amount of each check.

No records were kept of who was contacted at the waste carriers' business for pickup. No records are kept of which person in accounting issues which checks, so we do not know which individual paid which bills. Checks are sent to the waste carrier and only indicate a company name and address, not an individual name.

For barrels, we believe calls were made to American Barrel when there were empty barrels which the Company wished to send for reworking.

t. Individual/Organization who Selected Location of Waste Disposal (Papenfuss)

In all cases, the waste carrier picked the location where the wastes were to be taken.

u. Basis for/Documents Supporting Answer to Previous Question (Papenfuss)

There are no documents to support this, but it is common industry practice.

- v. Former or Current Employees and Other Persons with Knowledge

Edward Doherty

John Gihlstorff

Richard Papenfuss

6. **Environmental Reporting**

- a. RCRA ID Numbers Issued by EPA or State for Operations (Anderson)

EPA #MAD981067515 (Newburyport); MAD 001021732 (Chelsea)

- b. Identify all Federal Offices to Which Samuel Cabot Incorporated has Sent or Filed Hazardous Substance or Hazardous Waste Information (Gihlstorff, 1994 Response)

U.S. EPA Region I  
JFK Federal Building  
Boston, MA 02203-2211

U.S. Coast Guard  
Boston, MA (we believe)

- c. Years in Which Information was Sent or Filed (Gihlstorff)

Information regarding hazardous waste and other hazardous substances was sent during the years 1981 – 1985. Filings with the Coast Guard were for spills in 1983, 1984 and 1985.

- d. Identify all State Offices to Which Samuel Cabot Incorporated has Sent or Filed Hazardous Substance or Hazardous Waste Information (Gihlstorff, 1994 Response)

Dept. of Environmental Protection  
10 Commerce Way  
Woburn, MA 01801

MA Dept. of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211

MA Dept. of Environmental Protection  
One Winter St., 5th Floor  
Boston, MA 02108

- e. Years in Which Information was Sent or Filed (Gihlstorff)

1981 - 1985

- f. List all Federal & State Environmental Laws and Regulations Under Which Samuel Cabot Incorporated has Reported to Federal or State Governments (Gihlstorff, 1994 Response)

310 CMR 30.000 Hazardous Waste Regulations Annual Report

Sent to: Dept. of Environmental Quality Engineering  
Div. of Solid & Hazardous Waste  
One Winter St., 5th Floor  
Boston, MA 02108

National Pollution Discharge & Elimination System MA003344

Federal Water Pollution Control Act;

Section 43-44 of M.G.L. Chapter 21

Sent to: EPA Region I Permit Branch JFK Federal Building  
Boston, MA 02203-2211

MA Water Resource Commission  
Div. of Water Pollution Control  
Leveritt Saltonstall Bldg.  
Boston, MA 02202

MA Air Pollution Control Regulation 310 CMR 7.12

Sent to: Dept. of Environmental Protection  
Bureau of Waste Prevention  
10 Commerce Way  
Woburn, MA 01801

U.S. EPA Annual Pesticide Report Section 7 under FIFRA - 000043-MA-01

Sent to: U.S. EPA Region I  
Pesticide Section APP  
JFK Federal Building  
Boston, MA 02203-2211

- g. Federal & State Offices Information was Sent To (Gihlstorff)

See "6f." above.

7. **Information concerning Association with Whitney Barrel Company (Anderson, Gihlstorff, Papenfuss, Synott, Doherty)**

- a. Samuel Cabot Incorporated business association with Whitney Barrel Company?

We are unaware of any business association with Whitney Barrel Company, and we have no information about Whitney Barrel Company.

- b. Did association involve buying of drums or other containers?

See "7a."

- c. Did association involve shipping, transport or selling of drums or containers?



See "7a."

- d. Did association involve cleaning or reconditioning of drums or other containers?

See "7a."

- e. Did Whitney Barrel ever perform any other service for Samuel Cabot Incorporated?

See "7a."

- f. Did Samuel Cabot Incorporated ever pick up materials from other parties which were taken directly or indirectly to Whitney Barrel Company?

No.

- g. Identify all persons and entities from whom Samuel Cabot Incorporated picked up materials which were taken to Whitney Barrel Company?

Not applicable.

- h. Identify all such customers.

Not applicable.

- i. Former or current employees and other persons with knowledge or information about the forgoing or who had contact with Whitney Barrel Company.

We have no information concerning Whitney Barrel Company.

8. **Information About Others**

- a. Information Concerning the Operation of the Site (Anderson, Gihlstorff)

None.

We note that the request for information was directed to Samuel Cabot Construction. We have never used that name, and we do not know who Samuel Cabot Construction is. We are responding to the information request as if it were addressed to Samuel Cabot Incorporated.

- b. Availability of Additional Information (Anderson)

Samuel Cabot Incorporated believes there are no other people with knowledge of our operation who would provide additional information or documents.

- c. Current & Former Employees who have Information Concerning the Site (Anderson)

We are not aware of anyone.

9. Compliance with this Request Describe all Sources Reviewed or Consulted in Responding to this Request. including but not Limited to (1994 Response, Anderson, Papenfuss):

i. Names of all Individuals Consulted & Current Titles

John Gihlstorff  
Retired

William F. McGonigle  
Treasurer and Vice President-Finance

Richard Papenfuss  
Plant Superintendent

Burt Synnott  
Retired

Jean-Yves Gourlay  
Technical Director

Edward Doherty, Jr.  
Retired

John Anderson  
Vice President-Manufacturing

ii. Current Job Title & Job Description

See enclosed job descriptions for the following positions:

Manufacturing Manager  
Controller  
Plant Superintendent  
Purchasing & Distribution Manager  
Technical Director  
Sr. Lab Technician  
Director of Quality Control

iii. Job Title & Job Description During the Period Being Investigated

John Gihlstorff  
Manufacturing Manager

William F. McGonigle  
Controller

Burt Synnott  
Purchasing & Distribution Manager

Edward Doherty, Jr.  
Sr. Lab Technician

iv. Current or Past Employee

John Gihlstorff:	Past
William F. McGonigle:	Current
Richard Papenfuss:	Current
Burt Synnott:	Past
Jean-Yves Gourlay:	Current
Edward Doherty, Jr.:	Past
John Anderson	Current

v. Names of all Divisions of Samuel Cabot, Incorporated for which Records were Reviewed

Division records for Chelsea and Newburyport.

vi. Nature of all Documents Reviewed

Product formulations, Sales order forms, Employment records, Various reports to EPA, DEQE, and DEP, Waste manifests, 1994 Response.

vii. Locations where Documents were Kept before Review

Newburyport

viii. Location where Documents are Currently Kept

Newburyport

WELLS G & H

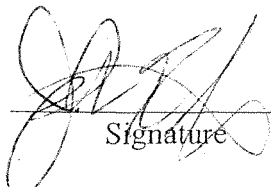
ENCLOSURE H - DECLARATION

I declare under penalty of perjury that I am authorized to

respond on behalf of Samuel Cabot Incorporated and that the  
Respondent

foregoing is complete, true, and correct to the best of my knowledge, information  
and belief.

Executed on January 30, 2004

  
\_\_\_\_\_  
Signature  
John E. Schutz  
\_\_\_\_\_  
Type Name  
President  
\_\_\_\_\_  
Title ~~if any~~

## ENCLOSURE E - WASTE SURVEY

Name of Respondent: Samuel Cabot Inc.

Respondent's Location: Chelsea, MA  
Newburyport, MA

Date: 1/30/04

Substance	Physical State when Disposed/Type of Container (e.g., Liquid/5 gal. pails, Sludge/55 gal. drums, Solid/directly in dumpster)	Trade Name/Chemical Composition (e.g., Nitric acid/HNO <sub>3</sub> , Tetrahydrofuran/C <sub>4</sub> H <sub>8</sub> O)	Volume	Disposal Method and Location (year) (e.g., dumpster ('55-68), [Name] Landfill ('69-81), [Name] Solvent Reclaimer ('82-'91)
Acids				
Adhesives				
Asbestos	Solid/Disposal Bags		4 ft <sup>3</sup> 1984 4 ft <sup>3</sup> 1985	1984 Suffolk Services Boston 1985 Consolidate Waste Services Norridgewock, Maine
Absorbents (from spills, leaks, etc.)	Solid into dumpster	Speedi Dry/Attapulgate Clay	Variable	Prior Unknown 1985 BFI Landfill/Incinerator
Automotive Related Wastes:				
Antifreeze				
Batteries				
Brake Fluids				
Degreasers				
Lubricants				
Oils				
Oil Filters				
Transmission fluids				

Substance	Physical State when Disposed/Type of Container (e.g., Liquid/5 gal. pails, Sludge/55 gal. drums, Solid/directly in dumpster)	Trade Name/Chemical Composition (e.g., Nitric acid/HNO <sub>3</sub> , Tetrahydrofuran/C <sub>4</sub> H <sub>8</sub> O)	Volume	Disposal Method and Location (year) (e.g., dumpster ('55-68), [Name] Landfill ('69-81), [Name] Solvent Reclaimer ('82-'91)
Other:				
Batteries				
Bleaches				
Caustic/Alkalis				
Chemicals	Solid/Dumpsters	Napthalene/C <sub>10</sub> H <sub>8</sub>	65 Yds. <sup>3</sup> /1 time	BFI landfill Baltimore, MD - 1981
Cleaning compounds or fluids				
Coolants				
Degreasers				
Disinfectants				
Distillation Byproducts (Still Bottoms)				
Dyes				
Etching Solutions				
Filters				
Flammable, Reactive, or Explosive Materials				
Fungicides				

Substance	Physical State when Disposed/Type of Container (e.g., Liquid/5 gal. pails, Sludge/55 gal. drums, Solid/directly in dumpster)	Trade Name/Chemical Composition (e.g., Nitric acid/HNO <sub>3</sub> , Tetrahydrofuran/C <sub>4</sub> H <sub>8</sub> O)	Volume	Disposal Method and Location (year) (e.g., dumpster ('55-68), [Name] Landfill ('69-81), [Name] Solvent Reclaimer ('82-'91)
Herbicides				
Insecticides				
Insulating/Fire Proofing Materials				
Laboratory Wastes				
Lubricants				
Metals:				
grindings				
powders				
shavings				
sludges				
solutions				
other:				
Paint and Coating Wastes:				
paint				
pigments				
stripper				
stains				
thinner				

Substance	Physical State when Disposed/Type of Container (e.g., Liquid/5 gal. pails, Sludge/55 gal. drums, Solid/directly in dumpster)	Trade Name/Chemical Composition (e.g., Nitric acid/HNO <sub>3</sub> , Tetrahydrofuran/C <sub>4</sub> H <sub>8</sub> O)	Volume	Disposal Method and Location (year) (e.g., dumpster ('55-68), [Name] Landfill ('69-81), [Name] Solvent Reclaimer ('82-'91)
turpentine				
varnish				
other:				
PCB's (polychlorinated biphenyls)				
Pesticides				
Photocopying Wastes:				
toners				
other:				
Photography Wastes:				
developers				
fixers				
other:				
Plating Solutions:				
Pretreatment Sludges/Solutions (Sewage)				
Printing Wastes:				
inks				



Substance	Physical State when Disposed/Type of Container (e.g., Liquid/5 gal. pails, Sludge/55 gal. drums, Solid/directly in dumpster)	Trade Name/Chemical Composition (e.g., Nitric acid/HNO <sub>3</sub> , Tetrahydrofuran/C <sub>4</sub> H <sub>8</sub> O)	Volume	Disposal Method and Location (year) (e.g., dumpster ('55-68), [Name] Landfill ('69-81), [Name] Solvent Reclaimer ('82-'91)
dyes				
other:				
Rags, Used (Indicate prior use)	Solid directly into dumpster	Cotton rags used to wipe up oils, grease, stains	Variable	Prior unknown 1985 BFI – landfill or incinerator
Rodenticides				
Septic System Wastes				
Sludges				
Soldering Solutions				
Solutions of Polymers, resins, plastics				
Solvent Extracts				
Solvents				
Waste Oils				
Wood Preservatives				
Other:				
Waste Stains/Sawdust	Solid/55 gal. drums	Sawdust/mineral spirits/linseed oil/pigments	1,524 drums/2 years	1984=85 SCA Chemical/GSX Landfill, Pinewood, S.C.

Substance	Physical State when Disposed/Type of Container (e.g., Liquid/5 gal. pails, Sludge/55 gal. drums, Solid/directly in dumpster)	Trade Name/Chemical Composition (e.g., Nitric acid/HNO <sub>3</sub> , Tetrahydrofuran/C <sub>4</sub> H <sub>8</sub> O)	Volume	Disposal Method and Location (year) (e.g., dumpster ('55-68), [Name] Landfill ('69-81), [Name] Solvent Reclaimer ('82-'91)
Latex Wash/Water	Liquid/Tank Truck Drums	Rhoplex/Water H <sub>2</sub> O	75 Drums, 1,750 Gal/1 Time	Clean Harbors, Braintree, MA 1984-85
Wash Solvents	Liquid/Tank Truck	High Aromatic Naptha Mineral Spirits/Kerosene	3,500 Gal.	Clean Harbors, Braintree, MA 1985
Mixed Solvents	Liquid/Tank Truck	Mineral Spirits/Aromatic Naptha	4,129 Gal.	1985 Solvent Recovery Services, Southington, CT
Sawdust/Linseed Oil	Solid/Drums	Sawdust/Linseed Oil Menhaden Oil	76 Drums	1984-85 SCA Chemical Services, Pinewood, SC
Off Spec Stain	Liquid/Tank Truck	Petroleum Distillates/Linseed Oil/Alkyd Resin	3,932 Gal	1984 Solvent Recovery Services, Southington, CT
Waste Stains/Sawdust	Solid/Drums	Sawdust/Mineral Spirits//Linseed Oil/Pigments	232 Drums	1983 SCA Chemical Services, Model City, NY
Tank Bottoms	Liquid/Drums	Asphalt/Coal Tar	233 Drums	1983 CECOS International, Niagara Falls, NY
Oily Dirt from Spill	Solid/Dumpster	Petroleum Oil/Dirt	68,360 lbs and 40 Yds. <sup>3</sup>	1983 CECOS International, Niagara Falls, NY
Tank Cleanings	Sludge/Drums Tank Truck	Petroleum Oil	60 Drums and 600 Gal.	1981 Suffolk Services, Boston, MA. 1983 Peabody Clean Ind., E. Boston, MA

Substance	Physical State when Disposed/Type of Container (e.g., Liquid/5 gal. pails, Sludge/55 gal. drums, Solid/directly in dumpster)	Trade Name/Chemical Composition (e.g., Nitric acid/HNO <sub>3</sub> , Tetrahydrofuran/C <sub>4</sub> H <sub>8</sub> O)	Volume	Disposal Method and Location (year) (e.g., dumpster ('55-68), [Name] Landfill ('69-81), [Name] Solvent Reclaimer ('82-'91)
Oil/Water from Spill	Liquid/Tank Truck	Petroleum Oil	9,600 Gal.	1983 Peabody Clean Ind., E. Boston, MA
Fiber Drums	Solid Directly into Dumpster	Brown 30/55 gal. Fiber Drums from Raw Materials	Varied	Prior – Unknown 1985 BFI Landfill/Incinerator
Steel Cans, Pails, Drums	Solid Directly into Dumpster	1 gal. Steel Cans, 5 gal., Pails, 30/55 gl. drums damaged, used for processing/raw materials	Varied	Prior – Unknown 1985 BFI Landfill/Incinerator
Corrugated Boxes/Sheets	Solid Directly into Dumpster	Corrugated Kraft Paper from Packaging	Varied	Prior – Unknown 1985 BFI Landfill/Incinerator
Plastic Wrap	Solid Directly into Dumpster	Clear/Colored Polyethylene Over Wrap from Raw Materials	Varied	Prior – Unknown 1985 BFI Landfill/Incinerator
Paper Bags	Solid Directly into Dumpster	Brown/White Kraft Paper Bags from Raw Materials	Varied	Prior – Unknown 1985 BFI Landfill/Incinerator

**Question 3e**

## APPENDIX I

The following is a list of those items manufactured by Samuel Cabot Incorporated during the period of 1950 to 1985.

380 Wood Preservative	House & Trim Paint
3810 Green Wood Preservative	Interior Stain Wax
5% Silicone Waterproofing	Latex Stains
Bar D.K. Preservative	Lubri Tasgon
Barn Board	Marble Crete Waterproofing
Bleaching Oil	Northern Lights
Bleaching Stain	O.V.T.
Brick Waterproofing	Paste Wax
Brush Cleaner	Patio Furniture Finish
Cabothane	Penta-Wood Seal
Canvas & Awning Paint	Ping Pong Green
Cedartone	Plasgon
Cement Floor Stain	PTW Stain
Clear Cement Silicone Waterproofing	Roofing Collopokes
Clear Cement Waterproofing w/o Silicone	69 Oil
Clear Solution	Semi-Solid Stain
Colorless Creosote	Semi-Transparent Stain
Conservo	Stucco and Brick Stains
Cresote Stain	Tasgon
Danish Oil	Timbercote
Decking Stains	Tree Healing Paint
Double White	Vinyl Primer
Flexiblac	Weathering Stain
Foundation Coating	White Creosote Stain
Gutter Paint	Wood Sealer
Hammer Tone	

# WHITNEY BARREL COMPANY

258 SALEM ST.  
WOBURN, MASSACHUSETTS 01801  
Mailing Address: P. O. BOX 261  
WOBURN, MASSACHUSETTS 01801

INVOICE  
NO.

INVOICE  
DATE

11-28-75

SHIPPED  
TO

229 Marginal St  
Chelsea, Mass

SOLD  
TO

Samuel Cabot Co  
One Union St  
Boston, Mass 02108

OUR ORDER NO.	YOUR ORDER NO.	SALESMAN	TERMS	SHIPPED VIA	PPD. OR COLL.
	2412		Net 30	Air Trans	
QUANTITY	DESCRIPTION			PRICE	AMOUNT
582	100, 1/2 cord 55g #1 cordline drum			1.50	150.00
	misc drum credit				111.50
					538.50

PRINTED BY GRAYARC CO., INC., BROOKLYN, N. Y. 11232

REDACTED

0052-0329

## All Types of Steel Drums - Fibre Barrels - Purchases - Sales

**Address.**

**All claims and returned goods MUST be accompanied by this bill.**

**Printed in U.S.A.**

Open hand  
35

C hand  
59

59

650.00	150.00
111.50	135.00
538.50	1.50
55	7.50
660.00	150.00
	550.00
	559.00
	111.50





# PURCHASE ORDER

ORIGINAL

229 MARGINAL STREET  
CHELSEA, MASS. 02150

*Samuel Cabot*  
Incorporated

SHOW NUMBER ON INVOICE

OUR ORDER

№ 2412

This number MUST  
appear on all pack-  
ages and invoices.

Charge C-21 NOV. 20 19 75 Requisitioned by —

Whitney Barrel Co.  
256 Salem St.  
Woburn, Mass. 01801

Please furnish us with the following materials subject to all terms, specifications  
and conditions herein.

Ship via

To arrive at on

QUANTITY	UNIT AND DESCRIPTION
1	Load blue bbls. with white tops 2" openings  Confirming phone order
SHIP TO 229 MARGINAL STREET, CHELSEA, MASS. 02150	

Unless otherwise specified route carload shipments B. & A. R. R., Chelsea, Mass., route less carload  
freight shipments to Chelsea, Mass., route American Express and parcel post shipments to 229 Marginal  
Street, Chelsea, Mass. 02150. Invoices should be mailed to One Union Street, Boston, Massachusetts 02108

REDACTED

Samuel Cabot Inc.

By —

0052-0333

# WHITNEY BARREL COMPANY

256 SALEM ST.

WOBURN, MASSACHUSETTS 01801

Mailing Address: P. O. BOX 261

WOBURN, MASSACHUSETTS 01801

INVOICE  
NO.

INVOICE  
DATE

4-25-75

SHIPPED  
TO

Chelsea

SOLD  
TO

Amuel Cabat  
One Union St.  
Boston, Mass 02108

OUR ORDER NO.	YOUR ORDER NO.	TERMS	SHIPPED VIA	PPD. OR COLL.
	1682	Net 30	Over Trans.	
QUANTITY	DESCRIPTION		PRICE	AMOUNT
391	100, New 55 gal lined #1 Closed head drums Blauwhite		\$6.50	650.00

BY GRAYARC CO., INC., BROOKLYN, N. Y. 11232

REDACTED

0052-0334

**All Types of Steel Drums - Fibre Barrels - Purchases - Sales**

Date 7-20 1942**Address.**

**All claims and returned goods MUST be accompanied by this bill.**

Rec'd by:

Printed in U.S.A.

0052-0335

**WHITNEY BARREL CO. INC.**

TEL 933-4520-21      Established 1898

Custom  
Order 1

No. 4

Date 7-2-19

Name.

**Address.**

[illegible]

**All claims and returned goods MUST be accompanied by this bill.**

381

Rec'd by \_\_\_\_\_

REDACTED

0052-0336

# WHITNEY BARREL COMPANY

258 SALEM ST.  
 WOBURN, MASSACHUSETTS 01801  
 Mailing Address: P. O. BOX 281  
 WOBURN, MASSACHUSETTS 01801

INVOICE  
 NO.

INVOICE  
 DATE 5-20-75

SHIPPED  
 TO Chelsea, Mass

SOLD  
 TO

Samuel Cabot  
 One Union St.  
 Boston, Mass 02108

OUR ORDER NO.	YOUR ORDER NO.	TERMS	SHIPPED BY	PPD. OR COLL.	
	1762	Net 30	Chm Trans		
QUANTITY	DESCRIPTION			PRICE	AMOUNT
249	143, Round 55 gal #1, unlined steel drums Blue & white			6.50	929.50

PRINTED BY GRAYARC CO., INC., BROOKLYN, N. Y. 11232

REDACTED

0052-0337

# WHITNEY BARREL CO. INC.

**All Types of Steel Drums - Fibre Barrels - Purchases - Sales**

Customer's Order No. 1762 Phone No. \_\_\_\_\_ Date 5-20-75  
Name Samuel Cabot  
Address Chelsea Mass.

[illegible]

**All claims and returned goods MUST be accompanied by this bill.**

249

Rec'd by \_\_\_\_\_

Printed in U.S.A.

**REDACTED**

0052-0338

**WHITNEY BARREL CO. INC.**

256 Salem Street, P. O. Box 261, Woburn, Mass. 01801

TEL. 933-4520-21      Established 1898

## All Types of Steel Drums Fibre Barrels - Purchases - Sales

Customer's Order No. 17621 Phone No. 530 75 Date 19  
Name Samuel Robert  
Address Chelsea Mass

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT
Quantity	DESCRIPTION				PRICE	AMOUNT
143	Recond 55 gal 6				79	2950
	#1 Fuel Line 6					
	650					
	1491					
	79502					
	2600					
	650					
	792956					
					TAX	
					TOTAL	

**All claims and returned goods MUST be accompanied by this bill.**

249

Rec'd by \_\_\_\_\_



**ORIGINAL**

Samuel Babot  
Incorporated

**This number MUST appear on all packages and invoices.**

0052-0340

# WHITNEY BARREL COMPANY

256 SALEM ST.

WOBURN, MASSACHUSETTS 01801

Mailing Address: P. O. BOX 261

WOBURN, MASSACHUSETTS 01801

INVOICE  
NO.

INVOICE  
DATE

1-29-75

SHIPPED  
TO

229 Marginal St  
Chelsea Mass

SOLD  
TO

Amuel Collet Inc  
One Union St  
Boston, Mass 02109

OUR ORDER NO.	YOUR ORDER NO.	SALE	TERMS	SHIPPED VIA	PPD. OR COLL.
	134 P		Net 30	Contract	
QUANTITY	DESCRIPTION			PRICE	AMOUNT
0212	134, 15 cond 55 gal #1 unbrd steel drums, blue/white lead			6.50	\$71.00
				11.250	
				759.50	
				TOTAL DUE	
				750 H 10	
				75 CH 150	

PRINTED BY GRAYARC CO., INC., BROOKLYN, N. Y. 11235

REDACTED

0052-0341

933-4520-21

**ALL TYPES OF STEEL DRUMS — FIBRE BARRELS — PURCHASES — SALES**

**STANDARD FORMS, INC., NEW YORK, N. Y. 10007**

0052-0342

**ESTABLISHED 1898**

256 SALEM STREET, WOBURN, MASS. 01801

933-4520-21

[illegible]

STANDARD FORMS, INC., NEW YORK, N. Y. 10007

0052-0343

**ORIGINAL**

***Incorporated***

SHOW NUMBER ON INVOICE

№ 1368

0052-0344

# WHITNEY BARREL COMPANY

258 SALEM ST.

WOBURN, MASSACHUSETTS 01801

Mailing Address: P. O. BOX 281

WOBURN, MASSACHUSETTS 01801

INVOICE  
NO.

INVOICE  
DATE

1-30-75

SHIPPED  
TO

Chilled

SOLD  
TO

Samuel Cabot Inc.  
1 Union St.  
Boston, Mass 02108

OUR ORDER NO.	YOUR ORDER NO.	SAL.	TERMS	SHIPPED VIA	PPD. OR COLL.	
	1363		Net 30	Air Train		
QUANTITY	DESCRIPTION				PRICE	AMOUNT
2216	104, Second 5-gal oil steel drums				6.00	804.00
						94.00
						710.00

PRINTED BY GRAYARC CO., INC., BROOKLYN, N. Y. 11235

REDACTED

0052-0345

ESTABLISHED 1898

**WHITNEY BARREL CO. INC.**

256 SALEM STREET, WOBURN, MASS. 01801

933-4520-21

ALL TYPES OF STEEL DRUMS — FIBRE BARRELS — PURCHASES — SALES

CUSTOMER'S ORDER NO. <i>11363</i>		DATE <i>1-30-75</i>		19	
NAME <i>Samuel Cabot, Inc.</i>					
ADDRESS <i>229 Marginal St.</i>					
<i>Chelsea Mass. 02150</i>					
SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.
PAID OUT					
QUANTITY	DESCRIPTION		PRICE	AMOUNT	
<i>104</i>	<i>Recond 55 gal</i>				
	<i>off steel drums</i>				
	<i>150</i>				
	<i>14</i>				
	<i>600</i>				
	<i>72 off 55 gal</i>				
	<i>14 B&amp;G 94</i>				
	<i>1 30</i>				
	<i>804</i>				
	<i>94</i>				
	<i>710</i>				
ALL claims and returned goods MUST be accompanied by this bill					
No. <i>02216</i>					
Rec'd by					

STANDARD FORMS, INC., NEW YORK, N. Y. 10007

REDACTED

0052-0346

933-4520-21

ALL TYPES OF STEEL DRUMS — FIBRE BARRELS — PURCHASES — SALES

[illegible]



# PURCHASE ORDER

ORIGINAL

*Samuel Cabot*

Incorporated

ONE UNION STREET, BOSTON, MASS. 02108

Jan. 24, 1975

Charge S-21

Requisitioned by \_\_\_\_\_

SHOW NUMBER ON INVOICE

OUR ORDER

No 1363

This number MUST  
appear on all pack-  
ages and invoices.

J.E. Whitney Barrel  
256 Salem St.  
Woburn, Mass. 01801

Please furnish us with the following materials subject to all terms, specifications  
and conditions herein.

Ship via

To arrive at

on

QUANTITY	UNIT AND DESCRIPTION	
1	Load open head drums reconditioned  Confirming order to Jack Whitney	
SHIP TO 229 MARGINAL STREET, CHELSEA, MASS. 02150		

Unless otherwise specified route carload shipments B. & A. R. R., Chelsea, Mass., route less carload  
freight shipments to Chelsea, Mass., route American Express and parcel post shipments to 229 Marginal  
Street, Chelsea, Mass. 02150. Invoices should be mailed to One Union Street, Boston, Massachusetts 02108

Samuel Cabot Inc.

REDACTED

By \_\_\_\_\_

0052-0348

# WHITNEY BARREL COMPANY

258 SALEM ST.

WOBURN, MASSACHUSETTS 01801

Mailing Address: P. O. BOX 261

WOBURN, MASSACHUSETTS 01801

INVOICE  
NO.

INVOICE  
DATE 11-21-75

SHIPPED  
TO 229 Marginal St.  
Chelsea, Mass.

SOLD  
TO

Samuel Cabot, Inc.  
One Union St.  
Boston, Mass 02108

OUR ORDER NO.	YOUR ORDER NO.	SALES	TERMS	SHIPPED VIA	PPD. OR COLL.
	2402		Net 30	Air Trans.	
QUANTITY	DESCRIPTION			PRICE	AMOUNT
576	87, 40 gal used Fibre barrels			1.75	152.25
					325.00
					8477.25
					36.00
					441.25

misc. drum  
credit

Complete Drum Reconditioning  
**WHITNEY BARREL CO. INC.**

256 Salem Street, P. O. Box 261, Woburn, Mass. 01801

TEL. 933-4520-21 Established 1898

All Types of Steel Drums - Fibre Barrels - Purchases - Sales

Customer's Order No. 2402 Phone No.            Date 11-21-75  
 Name Samuel Cabot Inc.  
 Address 229 Marginal St.  
Chelsea Mass.

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MOSE. RETD.	PAID OUT
Quantity	DESCRIPTION				PRICE	AMOUNT
<del>80</del>	<del>49 gal used Fibre</del>					
<del>87</del>	<del>Barrels</del>					
50	Recond 55 gal 4/1					
	condensed steel drum					1.75
	(Blue & White)					87 3
36	Brake type returned					225 4
						400 6
650						
50					1.75	3 3
					87	4 6
					12.25	
325.00						5225
	T 152.25				TAX	
					TOTAL	

All claims and returned goods MUST be accompanied by this bill.

REDACTED

0052-0351

**WHITNEY BARREL CO. INC.**

256 Salem Street, P. O. Box 261, Woburn, Mass. 01801

TEL 933-4520-21      Established 1898

**All Types of Steel Drums Fibre Barrels - Purchases - Sales**

Customer's Order No. 1402 Phone No. 1-21-75 Date 11-21-75

Name James M. [unclear]

Address 227 Highland Ave

[illegible]

All claims and returned goods MUST be accompanied by this bill

575

Rec'd by

**ORIGINAL**

*Samuel Babot*  
Incorporated

№ 2402

This number **MUST** appear on all packages and invoices.

Nov. 18, 1975

Requisitioned by —

Please furnish us with the following materials subject to all terms, specifications and conditions herein.

Ship via

To arrive at

on

Unless otherwise specified route carload shipments B. & A. R. R., Chelsea, Mass., route less carload freight shipments to Chelsea, Mass., route American Express and parcel post shipments to 229 Marginal Street, Chelsea, Mass. 02150. Invoices should be mailed to One Union Street, Boston, Massachusetts 02108

**REDACTED**

**Samuel Cabot Inc.**

By—

0052-0353

pd. in  
large amounts  
1976.  
Checks out.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NEW ENGLAND  
1 CONGRESS STREET, SUITE 1100,  
BOSTON, MA. 02114-2023

DATE: November 04, 2003 (Memo to File)  
FROM: Search & Cost Recovery Section  
TO: File  
SUBJ.: John E. Whitney, III (Interview) SSID #  
(Wells G & H)

MEMORANDUM

ENFORCEMENT CONFIDENTIAL  
ATTORNEY/CLIENT PRIVILEGE

Person Interviewed: John E. Whitney, III

---

On Monday, November 03, 2003, I traveled to Woburn, Massachusetts to visit the site of the former Whitney Barrel Company's location. Upon arrival, I observed and spoke to an individual that introduced himself as the caretaker of the site. He identified himself as

While talking to , a male individual drove up . As we turned to face the oncoming vehicle, advised me that the operator of the vehicle was Mr. John E. Whitney, III., the owner of the location.

I identified myself to this individual and in turn he introduced himself to me. I further advised him of the reason for my being there to which he replied that he would be more than happy to assist in anyway that he could.

During our conversation, Mr. Whitney advised me of the following: The business

REDACTED

0052-0355

REDACTED

0052-0356



Samuel Cabot Company, on Marginal Street, Chelsea, MA - producers of paints and stains. There was a weekly pickup of approximately 100 to 150 barrels. These barrels were transported to the Whitney Barrel Company in Woburn to be reconditioned and recycled.

REDACTED

0052-0357

of Stoneham, MA,  
of Woburn, MA, and of Burlington are three of the drivers that he recalls that drove for the company. also worked inside in the processing of the barrels. Other names of former employees that Mr. Whitney recalled are and might be deceased. There were quite a few transient drivers over the years, he will informed me if any of the names resurface. Mr. Whitney further states that the Whitney Barrel Company was a "small outfit" that processed approximately 400 to 500 barrels daily.

The recycling / reconditioning process was described as follows: The barrels would be brought to the site by trucks. They would be off-loaded into what was known as the "raw warehouse", the building that was located in the back of the site. There the barrels would be externally washed, basically like a car wash. The cleaning solution was a mixture of boiling hot water and trisodium- phosphate (TSP). This was referred to as a stronger version of the Tide product.

The barrels are then moved to the "internal wash cycle." The barrels are turned upside down and placed in a tank where water jets come up from the tanks and the boiling hot water spray and steam would clean the inside of the barrels. The residual water in the barrels would then be syphoned out. Any residue and water used in the cleaning processed flowed out to the MDC sewer.

The barrels are now prepared for the external painting. After being painted, the barrels are moved to te finishing warehouse. This is the final step in the reconditioning / recycling process, before delivering them to the customer.

Mr. Whitney stated that, absolutely, no barrels were picked up that had any residue in them. Some of the companies washed their barrels out before we picked them up. All barrels were virtually empty. There was slight residue on the sides of some of the barrels.

Burning or blasting of the barrels was not a part of their process.

REDACTED

0052-0358



Ronda P. Bayer  
Associate General Counsel

1101 South Third Street, Minneapolis, MN 55415  
612-375-7306 FAX 612-375-7313

September 29, 2005

Via Overnight Courier

Martha Bosworth, Enforcement Coordinator  
U.S. Environmental Protection Agency  
Office of Site Remediation & Restoration (HBS)  
One Congress Street, Suite 1100  
Boston, MA 02114

Attn: Wells G&H Case Team

RE: Supplemental Request for Information Pursuant to Section 104 of  
CERCLA in relation to the former Whitney Barrel Company at the Wells  
G&H Superfund Site in Woburn, Massachusetts

Dear Ms. Bosworth:

Enclosed please find Samuel Cabot Incorporated's response to the above request. Please  
direct any questions or future inquiries to me at the above address.

Very truly yours,

Ronda P. Bayer

Enclosure

0052-0360

**RESPONSE OF SAMUEL CABOT INCORPORATED ("RESPONDENT") TO  
SUPPLEMENTAL REQUEST FOR INFORMATION IN RELATION TO THE  
FORMER WHITNEY BARREL COMPANY AT THE  
WELLS G & H SUPERFUND SITE IN WOBURN, MASSACHUSETTS**

**General Questions Regarding Respondent's Operations**

**QUESTION NO. 1:**

Identify any equipment that was removed during the dismantling of the Chelsea facility in 1979. For each piece of equipment removed, please describe the removal process, including:

- a. The names of all contractors and/or companies who removed the equipment;
- b. The names of all contractors and/or companies who cleaned the equipment prior to removal;
- c. The waste(s) generated as a result of the equipment removal and cleaning processes;
- d. Where these wastes were disposed of;
- e. How the equipment was transported from the facility after removal; and
- f. Where the equipment was taken after the dismantling.

**RESPONSE NO. 1:**

**Unknown. The Chelsea facility was operating in 1979. According to the prior response, a still operation was dismantled in 1979. The removal process is unknown. The Chelsea facility was operating until 1985. All documents were produced with Respondent's prior response.**

**Respondent sold the Chelsea facility in 1988 on an "as is" basis. Except for the manufacturing equipment that was moved to Respondent's Newburyport location, Respondent did not dismantle the Chelsea facility.**

**QUESTION NO. 2:**

Were any containers removed from the Chelsea facility as part of the facility closure process? Unless your response is an absolute "No," please provide:

- a. The name of the company or individual who removed the containers;
- b. The dates of each pickup;
- c. The number of containers;
- d. The type(s) of containers;
- e. The size(s) of the containers;
- f. The condition of each container;

- g. The original and any subsequently added contents (i.e., bulk raw material storage, finished product packaging, and/or waste storage), including but not limited to residues, of each container, including:
  - i. the name of each material;
  - ii. the chemical composition of each material;
  - iii. the physical state of each material (e.g., solid, sludge, liquid);
  - iv. the volume of each material;
- h. A description of the process Respondent used to empty, rinse, and/or clean the containers prior to pick-up/delivery;
- i. A description of how Respondent disposed of any emptied materials and/or rinse water; and
- j. Any documentation or additional information related to these transactions.

**RESPONSE NO. 2:**

**Unknown. All documents were produced with Respondent's prior response.**

**Respondent sold the Chelsea facility in 1988 on an "as is" basis. Except for the manufacturing equipment that was moved to Respondent's Newburyport location, Respondent did not dismantle the Chelsea facility. The Chelsea closure process was not performed by Respondent.**

**QUESTION NO. 3:**

Describe your handling and disposal practices for leaking and/or defective containers, including:

- a. How you handled and disposed of the leaking raw material and/or waste material;
- b. The names of each contractor, company, and/or facility used to dispose of the leaking raw material and/or waste material;
- c. The names of each contractor, company, and/or facility used to dispose of these defective containers; and
- d. Please include any documentation or additional information related to these transactions.

**RESPONSE NO. 3:**

**Respondent's practices for the period being investigated are unknown.**

**QUESTION NO. 4:**

In your 104(e) response, you provided a Coastal Services, Inc. Daily Job Report indicating that Coastal Services, Inc. "industrial" cleaned one of Samuel Cabot's tanks to remove "sludge, oil and water for disposal." Please describe Respondent's procedures for tank cleaning and maintenance, including:

- a. Whether "industrial" cleaning of your tanks was a routine practice;
- b. How often Respondent's tanks were cleaned;
- c. The names and street addresses of all contractors and/or companies who provided tank cleaning services to Samuel Cabot;
- d. The location where the tanks were cleaned (i.e., at Respondent's facility or sent to the outside contractor or company's facility); and
- e. How Respondent disposed of any materials removed from the tanks and/or rinse water.

**RESPONSE NO. 4:**

**Respondent's procedures for the period being investigated are unknown. The document indicates the wastes were disposed of pursuant to Manifest #MA 2209.**

**Information Concerning Respondent's Association with Whitney Barrel**

**QUESTION NO. 1:**

Please identify each Samuel Cabot facility which had a relationship with Whitney Barrel.

**RESPONSE NO. 1:**

**To the best of Respondent's knowledge, none.**

**QUESTION NO. 2:**

For each shipment of used containers to Whitney Barrel, please provide:

- a. The dates of each pickup and delivery;
- b. The number of containers;
- c. The type(s) of containers;
- d. The size(s) of the containers;
- e. The condition of each container;
- f. The original and any subsequently added contents (i.e., bulk raw material storage, finished product packaging, and/or waste storage), including but not limited to residues, of each container, including:
  - i. the name of each material;
  - ii. the chemical composition of each material;
  - iii. the physical state of each material (e.g., solid, sludge, liquid);
  - iv. the volume of each material;
- g. A description of the process Respondent used to empty, rinse, and/or clean the containers prior to pick-up/delivery;
- h. A description of how Respondent disposed of any emptied materials and/or rinse water; and
- i. Any documentation or additional information related to these transactions.

**RESPONSE NO. 2:**

**Not applicable.**

**Information Concerning Respondent's Association with any other Drum Reconditioning and/or Recycling Companies**

**QUESTION NO. 1:**

State whether Samuel Cabot sent/delivered containers to any other drum reconditioning/recycling company, including but not limited to, Edward C. Whitney & Son, Inc. (also known as E.C. Whitney), Kingston Steel Drum/Great Lakes Container Corporation (now known as Mallinckrodt, Inc.), Kingsland Drum Company, Roche Brothers Barrel & Drum Co., Roy Brothers, Inc., Ryan Barrel Company, and Woburn Barrel.

**RESPONSE NO. 1:**

**To the best of Respondent's knowledge, barrels were picked up by American Barrel of Chelsea, Massachusetts.**

**QUESTION NO. 2:**

For each of the above companies, please identify:

- a. How frequently Respondent sent/delivered containers;
- b. The original and any subsequently added contents (i.e., bulk raw material storage, finished product packaging, and/or waste storage), including but not limited to residues, of each container, including:
  - i. the name of each material;
  - ii. the chemical composition of each material;
  - iii. the physical state of each material (e.g., solid, sludge, liquid);
  - iv. the volume of each material;
- c. A description of the process Respondent used to empty, rinse, and/or clean the containers prior to pick-up/delivery;
- d. A description of how Respondent disposed of any emptied materials and/or rinse water;
- e. The volume (i.e., number of containers, size of each container, and volume of waste associated with each container) of containers sent/delivered by Respondent;
- f. The time period during which containers were sent/delivered by the Respondent;
- g. All of the employees who transported containers from the Respondent's facility(ies); and
- h. Provide any documentation or additional information related to these transactions.

**RESPONSE NO. 2:**

**Unknown.**

**Compliance with this Request**

**QUESTION NO. 1:**

Describe all sources reviewed or consulted in responding to this request and all individuals who have any knowledge of, or information about, the subject matter of any of the foregoing questions, including but not limited to:

- a. The name of each individual;
- b. The current job title and job description of each individual;
- c. The job title and job description during the period being investigated of each individual;
- d. Whether each individual is a current or past employee of Respondent;
- e. A description of the types of information the individual possesses (i.e., specific information on company operations, wastes generated, and/or waste disposal practices);
- f. The names of all divisions or offices of Respondent for which records were reviewed;
- g. The nature of all documents reviewed;
- h. The locations where those documents reviewed were kept prior to review; and
- i. The location where those documents reviewed are currently kept.

**RESPONSE NO. 1:**

**Brian Lavelle, Accounting Manager/Controller  
John Anderson, Vice President of Manufacturing**

**Respondent reviewed its prior responses for both this site and its 1994 response for the Turchin Junkyard site. In addition, Respondent consulted Samuel Cabot Incorporated's former counsel, Victor N. Baltera, of the law firm Sullivan & Worcester, One Post Office Square, Boston, Massachusetts 02109, Phone: (617) 338-2800. Mr. Baltera assisted with Respondent's prior response. Respondent conducted an additional records search at its Newburyport facility, but found no documents in addition to those produced with the prior response. The Newburyport facility is Respondent's only location.**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NEW ENGLAND  
1 CONGRESS STREET, SUITE 1100,  
BOSTON, MA. 02114-2023

DATE: December 15, 2003 (Memo to File)  
FROM: Search & Cost Recovery Section  
TO: File  
SUBJ.: (Interview) SSID #  
(Wells G & H)

MEMORANDUM

ENFORCEMENT CONFIDENTIAL  
ATTORNEY/CLIENT PRIVILEGE

Person Interviewed:

On Monday, November 24, 2003, I traveled to Burlington, Massachusetts to meet with the above-named individual. Upon arrival, I was greeted at the door by a female that introduced herself as the wife of [REDACTED]. I advised her as to whom I was and why I was there. She invited me in and led me to the dining area. [REDACTED] was aware of the reason for my visit and felt very strongly that she and I should talk, which we did, before I began dialog with her husband.

[REDACTED] entered the dining area shortly afterwards. I rose, presented my identification to him and in turn, he introduced himself to me [REDACTED] left the room and [REDACTED] and I sat and then began to have conversation. [REDACTED] advised me of his medical condition and what he has gone through so far but felt that the worst was over and he was well on the road to recovery. I advised [REDACTED] of my reason for being there and what I was looking to

REDACTED

0052-0368

accomplish by my visit with him. He was very cooperative and straight forward.  
advised me of the following:

1.                worked at Whitney Barrel at 256 Salem Street, Woburn, MA from 1969  
until 1976.

2. He performed many functions while there. He was a truck driver, a barrel painter,  
a barrel washer and he did any other job that needed to be done.

3. His main job was that of the Whitney Barrel Company truck operator. His duty was  
to pick up and deliver barrels for the company. The truck could carry as many as 150 barrels per  
load.

4. Whitney Barrel Company usually employed at least five employees but during the  
summer, extra help was hired.

5. Some of the other Whitney Barrel Company employees were:

6. The Whitney Barrel Company was in the business of collecting, cleaning,  
refurbishing, recycling and selling used barrels and sometimes two-, three- and ten-thousand  
gallon tanks. The business was located at 256 Salem Street, Woburn, MA.

7. Whitney Barrel Company picked up barrels for refurbishing and recycling from

Cabot Paint,

All barrels picked up from the above locations were taken to  
Whitney Barrel Company and put through the refurbishing/recycling process.

8. Whitney Barrel Company also traded barrels with other companies, depending upon  
the needs of the different companies. Some of the barrel companies involved in the trading were:

REDACTED

0052-0369

REDACTED

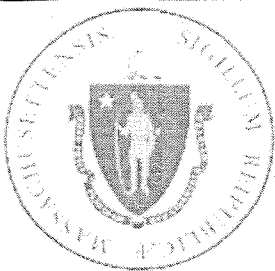
0052-0370

15. Drums with residues inside would come in, the covers went one way and the rings went another. The contents of the drums would be dumped in the hole in the floor. The hole was four to five feet in diameter and about five feet deep with a grate over it. The grate was "messed" up once and an employee fell into the hole. Could not remember the name of the employee. It was said that the drain ran out to the sewer but "stuff" still leached out to the Aberjona River.

17. Cabot Paint Company delivered more drums to Whitney Barrel Company than Whitney Barrel truck picked up from them. Cabot Paint drums were recycled/refurbished at the Whitney Barrel Company.

REDACTED

0052-0371



**The Commonwealth of Massachusetts**  
**William Francis Galvin**

Secretary of the Commonwealth  
 One Ashburton Place, Boston, Massachusetts 02108-1512  
 Telephone: (617) 727-9640

**SAMUEL CABOT INCORPORATED Summary Screen**



Help with this form

[Request a Certificate](#)

**The exact name of the Domestic Profit Corporation:** SAMUEL CABOT INCORPORATED

**Merged into** VALSPAR CORPORATION, THE **on** 10/28/2006

**Merged with :** VALSPAR ACQUISITION CORP. **on** 6/14/2005

**Entity Type:** Domestic Profit Corporation

**Identification Number:** 041141380

**Date of Organization in Massachusetts:** 05/14/1907

**Date of Merger:** 10/28/2006

**Current Fiscal Month / Day:** 09 / 30

**Previous Fiscal Month / Day:** 09 / 30

**The location of its principal office in Massachusetts:**

No. and Street: 100 HALE ST.  
 City or Town: NEWBURYPORT State: MA Zip: 01950 Country: USA

**If the business entity is organized wholly to do business outside Massachusetts, the location of that office:**

No. and Street:  
 City or Town: State: Zip: Country:

**Name and address of the Registered Agent:**

Name: CHRISTOPHER CABOT  
 No. and Street: C/O SAMUEL CABOT INCORPORATED  
100 HALE STREET  
 City or Town: NEWBURYPORT State: MA Zip: 01950 Country: USA

**The officers and all of the directors of the corporation:**

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Expiration of Term
PRESIDENT	JOHN E. SCHUTZ	180 JOHNNY CAKE ST N. ANDOVER, MA 01845 USA	until successor are elected
TREASURER	WILLIAM F. MCGONIGLE JR.	1 JOHNSON LANE, BYFIELD, MA 01922 USA	

SECRETARY	CHRISTOPHER CABOT	6 HART ST., BEVERLY FARMS, MA USA	
DIRECTOR	FREDERICK WEBSTER	6236 N. VENTANA VIEW PLACE TUCSON, AZ 08750 USA	Until successors are elected
DIRECTOR	DAVID WEENER	230 GRAND POINTE DRIVE PALM BEACH GARDEN, FL 33418 USA	
DIRECTOR	SAMUEL CABOT III	103 HART STREET BEVERLY FARMS, MA 01915 USA	
DIRECTOR	RIDGELY HARRISON	33 STEPHENS MILL RD HACKETTSTOWN, NJ 07840 USA	until successors are elected
DIRECTOR	EMILY HERTZOG	264 6TH AVE APT 3K BROOKLYN, NY 11215 USA	

business entity stock is publicly traded: ☐

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
CWP	\$1.00000	275,000	\$275,000.00	183,920

Consent ☐ Manufacturer ☐ Confidential Data ☐ Does Not Require Annual Report ☐  
 Partnership ☐ Resident Agent ☐ For Profit ☐ Merger Allowed ☐

Note: There is additional information located in the cardfile that is not available on the system.

Select a type of filing from below to view this business entity filings:

ALL FILINGS  
 Administrative Dissolution  
 Annual Report  
 Application for Reinstatement  
 Application For Revival

View Filings

New Search

Comments

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Help

**DF****The Commonwealth of Massachusetts**

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

Filing Fee: \$125.00

Late Fee: \$25.00

FORM MUST BE TYPED

**Annual Report for Domestic  
and Foreign Corporations**  
(General Laws Chapter 156D, Section 16.22; 950 CMR 113.57)

FORM MUST BE TYPED

- 041141380
- (1) Exact name of the corporation: Samuel Cabot Incorporated
- (2) Jurisdiction of incorporation: Massachusetts
- (3) Street address of the corporation's registered office in the commonwealth:  
100 Hale Street, Newburyport, MA 01950  
(number, street, city or town, state, zip code)
- (4) Name of the registered agent at the registered office: Christopher Cabot
- (5) Street address of the corporation's principal office:  
1101 South Third Street, Minneapolis, MN 55415  
(number, street, city or town, state, zip code)
- (6) Provide the names and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

	NAME	ADDRESS
President:	Ken Arthur	1191 S. Wheeling Road, Wheeling, IL 60090
Treasurer:	Paul C. Reyelts	1101 South Third Street, Minneapolis, MN 55415
Secretary:	Rolf Engh	1101 South Third Street, Minneapolis, MN 55415
Chief Executive Officer:		
Chief Financial Officer:		
Directors:	Steven D. Person 1101 South Third Street, Minneapolis, MN 55415, Paul C. Reyelts 1101 South Third Street, Minneapolis, MN 55415, Ralph Engh 1101 South Third Street, Minneapolis, MN 55415	

- (7) Briefly describe the business of the corporation:  
manufactures and sells paints and coatings

(8-9) Capital stock of each class and series:

CLASS OF STOCK	TOTAL AUTHORIZED BY ARTICLES OF ORGANIZATION OR AMENDMENTS Number of Shares	TOTAL ISSUED AND OUTSTANDING Number of Shares
COMMON	275,000	1,000
PREFERRED		

- (10) Check if the stock of the corporation is publicly traded. ☐

(11) Report is filed for fiscal year ending: September / 30 / 2006  
(month) (day) (year)

Signed by: [Signature]

☐ Chairman of the board of directors ☐ Incorporator ☒ Other officer ☐ Court-appointed fiduciary  
on this 25<sup>th</sup> day of October, 2006



D  
PC

# The Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

081

FOR FILING ONLY

## Articles of Merger Involving Domestic Entities (General Laws Chapter 156D, Section 11.06; 950 CMR 113.36)

FORM MUST BE TYPED

- (1) Exact name of each domestic corporation or other entity involved in the merger:

Valspar Acquisition Corp. (m) 000894656 4/29/05  
Samuel Cabot Incorporated (S) 041141380 5/14/1987

- (2) Exact name of the surviving entity: Samuel Cabot Incorporated

- (3) The merger shall be effective at the time and on the date approved by the Division, unless a later effective date not more than 90 days from the date and time of filing is specified: \_\_\_\_\_

(check appropriate box)

- (4) ☒ The plan of merger was duly approved by the shareholders, and where required, by each separate voting group as provided by G.L. Chapter 156D and the articles of organization.

OR

- ☐ The plan of merger did not require the approval of the shareholders.

- (5) Participation of each other entity was duly authorized by the law under which the other entity is organized or by which it is governed and by its articles of organization or other organizational documents.


- (6) Attach any amendment to articles of organization of the surviving entity, where the survivor is a domestic business corporation.

Not Applicable

- (7) Attach the articles of organization of the surviving entity where the survivor is a NEW domestic business corporation, including all the supplemental information required by 950 CMR 113.16.

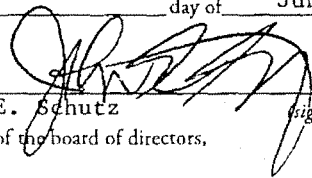
Not Applicable

3  
PC.

Signed by:   
Rolf Engh (signature of authorized individual)

- ☐ Chairman of the board of directors,  
☐ President,  
☒ Other officer,  
☐ Court-appointed fiduciary,

on this 14<sup>th</sup> day of June, 2005

Signed by:   
John E. Schutz (signature of authorized individual)

- ☐ Chairman of the board of directors,  
☒ President,  
☐ Other officer,  
☐ Court-appointed fiduciary,

on this 14<sup>th</sup> day of June, 2005

929089

133377

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

**Articles of Merger  
Involving Domestic Entities**  
(General Laws Chapter 156D, Section 11.06; 950 CMR 113.36)

I hereby certify that upon examination of these articles of merger, duly submitted to me, it appears that the provisions of the General Laws relative thereto have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$ 250 having been paid, said articles are deemed to have been filed with me this 14<sup>th</sup> day of JUNE 2005 at 9:00 a.m. p.m.  
time

Effective date: \_\_\_\_\_  
(must be within 90 days of date submitted)

*William Francis Galvin*

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

Filing fee: Minimum \$250

E.G.  
Examiner *ma*  
Name approval  
C  
#A.R.

TO BE FILLED IN BY CORPORATION  
Contact Information:

David E. Surprenant  
Mirick, O'Connell, DeMallie & Lougee, LLP

100 Front Street

Worcester, MA 01608

Telephone: (508) 791-8500

Email: \_\_\_\_\_

Upon filing, a copy of this filing will be available at [www.sec.state.ma.us/cor](http://www.sec.state.ma.us/cor).  
If the document is rejected, a copy of the rejection sheet and rejected document will be available in the rejected queue.

RECEIVED  
SECRETARY OF STATE  
JUN 14 2005 9:00  
CORPORATION DIVISION

# The Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

## Restated Articles of Organization (General Laws Chapter 156D; Section 10.07; 950 CMR 113.34)

- (1) Exact name of corporation: Samuel Cabot Incorporated
- (2) Registered office address: 100 Hale Street, Newburyport, Massachusetts 01950  
(number, street, city or town, zip code)
- (3) Dated restated articles of organization adopted: August 2, 2004
- (4) Please check appropriate box:
- ☐ The restated articles were adopted by the directors without shareholder approval and shareholder approval was not required;  
OR  
☒ The restated articles were approved by the board of directors and the shareholders in the manner required by General Laws, Chapter 156D and the articles of organization.
- (5) The following is all the information required to be in the original articles of organization except that the supplemental information provided for in Article VIII of the articles of organization is not required. Any change to Article VIII must be made by filing a Statement of Change of Supplemental Information.

### ARTICLE I

The exact name of the corporation is:

Samuel Cabot Incorporated

### ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. C156D have the purpose of engaging in any lawful business. If you wish to specify more limited purposes, state them below.\*

\*G.L. c. 156A applies to professional corporations, must specify professional activities of the corporation.

04/11/1380  
031  
020  
024  
029  
030

5  
PC

5/14/1907

### ARTICLE III

State the total number of shares and par value, \*\* if any, of each class of stock that the corporation is authorized to issue. If only one class or series is authorized, it is not necessary to specify any particular designation.

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
		Common Stock	275,000	\$1.00

### ARTICLE IV

Prior to the issuance of shares of any class or series, the articles of organization must set forth the preferences, limitations and relative rights of that class or series. The articles may also limit the type or specify the minimum amount of consideration for which shares of any class or series may be issued. Please set forth the preferences, limitations and relative rights of each class or series and, if desired, the required type and minimum amount of consideration to be received.

None.

### ARTICLE V

The restrictions, if any, imposed by the articles of organization upon the transfer of shares of any class or series of stock are:

None.

### ARTICLE VI

Other Lawful Provisions\*\*\*

See Continuation Sheet VI-1

\*\*G.L. c. 156D eliminates the concept of par value. See Section 6.21 and the comments relative thereto.

\*\*\* If there are no provisions state "none".

Note: The preceding six (6) articles are considered to be permanent and may ONLY be changed by filing appropriate articles of amendment

Continuation Sheet for Article VI of the Restated Articles of Organization  
of  
Samuel Cabot Incorporated

The following additional provisions are hereby established for the management, conduct and regulation of the business and affairs of the Corporation, and for creating, limiting, defining and regulating the powers of the Corporation and of its Board of Directors and shareholders:

1. Authority of Directors to Create New Classes and Series of Shares. The Board of Directors, acting without the shareholders, may reclassify any unissued shares of any authorized class or series into one or more existing or new classes or series, or create one or more new classes or series of shares, specifying the number of shares to be included therein, the distinguishing designation thereof and the preferences, limitations and relative rights in respect thereof; provided, however, that the Board of Directors may not approve an aggregate number of authorized shares of all classes and series which exceeds the total number of authorized shares specified in the Articles of Organization (as in effect from time to time) as approved by the shareholders.
2. Minimum Number of Directors. The Board of Directors may consist of one or more individuals, irrespective of the number of shareholders.
3. Personal Liability of Directors to the Corporation. No director shall have personal liability to the Corporation for monetary damages for breach of his or her fiduciary duty as a director notwithstanding any provision of law imposing such liability, provided, however, that this provision shall not eliminate or limit the liability of a director (a) for any breach of the director's duty of loyalty to the Corporation or its shareholders, (b) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (c) for improper distributions under Section 6.40 of Chapter 156D of the General Laws of Massachusetts, or (d) for any transaction from which the director derived an improper personal benefit.
4. Vote Required to Approve Matters Acted on by Shareholders. The affirmative vote of a majority of all the shares in a voting group eligible to vote on any action required or permitted by Chapter 156D of the General Laws of Massachusetts to be taken by such voting group shall be sufficient for the approval of such action by such voting group.
5. Shareholder Action Without a Meeting by Less than Unanimous Consent. Action required or permitted by Chapter 156D of the General Laws of Massachusetts to be taken at a shareholders' meeting may be taken without a meeting by shareholders having not less than the minimum number of votes necessary to take the action at a meeting at which all shareholders entitled to vote on the action are present and voting.
6. Authorization of Directors to Make, Amend or Repeal the Bylaws. The Board of Directors may make, amend or repeal the bylaws in whole or in part, except with respect to any provision thereof which by virtue of an express provision in Chapter 156D of the General Laws of Massachusetts, the Articles of Organization or the bylaws requires action by the shareholders.

**ARTICLE VII**

Unless otherwise provided in the articles of organization, the effective date of organization of the corporation is the date and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a later effective date is desired, specify such date, which may not be later than the 90th day after the articles are received for filing:

Not applicable.

Specify the number of articles being amended: Articles II, III, V and VI

Signed by: \_\_\_\_\_

*Christopher Tolson*

(signature of authorized individual)

(Please check appropriate box)

☐ Chairman of the Board of Directors

☐ President

☒ Other Officer

☐ Court-appointed fiduciary

Signed on this 9<sup>th</sup> day of August of 2004

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

Restated Articles of Organization  
(General Laws, Chapter 156D, Section 10.07)

I hereby certify that upon examination of these Restated Articles of Organization, duly submitted to me, it appears that the provisions of the General Laws relative to the organization of corporations have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$ 1000 — having been paid, said articles are deemed to have been filed with me this 10 day of Aug 20 04 at 2:49 a.m./p.m.  
time

Effective date: \_\_\_\_\_  
(must be within 90 days of date submitted)

894012

SECRETARY OF STATE  
RECEIVED

6 AUG 13 PM 2:49

COMMONWEALTH DIVISION

KK  
Examiner

MA  
Name approval

C

M

*William Francis Galvin*

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

TO BE FILLED IN BY CORPORATION  
Contact Information:

Joanne H. McKenna

Sullivan & Worcester LLP

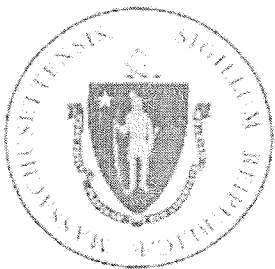
One Post Office Square, Boston, MA 02109

Telephone: 617-338-2424

Email: jmckenna@sandw.com

A copy of this filing will be available on-line at [www.sec.state.ma.us/cor](http://www.sec.state.ma.us/cor) once the document is filed





**The Commonwealth of Massachusetts**  
**William Francis Galvin**

Secretary of the Commonwealth  
 One Ashburton Place, Boston, Massachusetts 02108-1512  
 Telephone: (617) 727-9640

**VALSPAR ACQUISITION CORP. Summary Screen**



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**The exact name of the Domestic Profit Corporation:** VALSPAR ACQUISITION CORP.

**Merged into** SAMUEL CABOT INCORPORATED on 6/14/2005

**Entity Type:** Domestic Profit Corporation

**Identification Number:** 000894696

**Date of Organization in Massachusetts:** 04/29/2005

**Date of Merger:** 06/14/2005

**Current Fiscal Month / Day:** 10 / 31

**The location of its principal office in Massachusetts:**

No. and Street: 1101 SOUTH THIRD STREET

City or Town: MINNEAPOLIS

State: MN Zip: 55415 Country: USA

**If the business entity is organized wholly to do business outside Massachusetts, the location of that office:**

No. and Street:

City or Town:

State:

Zip:

Country:

**Name and address of the Registered Agent:**

Name: DAVID E. SURPRENANT

No. and Street: 100 FRONT STREET

City or Town: WORCESTER

State: MA Zip: 01608 Country: USA

**The officers and all of the directors of the corporation:**

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code	Expiration of Term
PRESIDENT	WILLIAM L. MANSFIELD	100 FRONT STREET WORCESTER, MA 01608 USA	
TREASURER	PAUL C. REYELTS	100 FRONT STREET WORCESTER, MA 01608 USA	
SECRETARY	ROLF ENGH	100 FRONT STREET	

		WORCESTER, MA 01608 USA	
DIRECTOR	PAUL C. REYELTS	100 FRONT STREET WORCESTER, MA 01608 USA	
DIRECTOR	WILLIAM L. MANSFIELD	100 FRONT STREET WORCESTER, MA 01608 USA	
DIRECTOR	ROLF ENGH	100 FRONT STREET WORCESTER, MA 01608 USA	

business entity stock is publicly traded: ☐

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
CNP	\$0.00000	275,000	\$0.00	0

☐ Consent    ☐ Manufacturer    ☐ Confidential Data    ☐ Does Not Require Annual Report  
☐ Partnership    ☐ Resident Agent    ☐ For Profit    ☐ Merger Allowed

Select a type of filing from below to view this business entity filings:

ALL FILINGS

Administrative Dissolution

Annual Report

Application for Reinstatement

Application For Revival

View Filings

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## VALSPAR ACQUISITION CORP.

### Articles of Organization (Massachusetts General Laws Chapter 156D)

ARTICLE I. The exact name of the corporation is Valspar Acquisition Corp.

ARTICLE II. The corporation may engage in any lawful business.

ARTICLE III. The total number of shares of each class of stock that the corporation is authorized to issue is 275,000 shares, which will consist entirely of common stock.

ARTICLE IV. If more than one class or series of shares is authorized, the preferences, limitations, and relative rights of each class or series are as follows: None.

ARTICLE V. The restrictions imposed by the Articles of Organization upon the transfer of shares of any class or series of stock are as follows: None.

ARTICLE VI. Other lawful provisions:

a. Personal liability of directors to corporation. No director will have personal liability to the corporation for monetary damages for breach of his or her fiduciary duty as a director notwithstanding any provision of law imposing such liability, provided that this provision will not eliminate or limit the liability of a director (i) for any breach of the director's duty of loyalty to the corporation or its shareholders, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, (iii) for improper distributions under Section 6.40 of Chapter 156D of the General Laws of Massachusetts, or (iv) for any transaction from which the director derived an improper personal benefit.

b. Authorization of directors to make, amend, or repeal bylaws. The board of directors may make, amend or repeal the bylaws in whole or in part, except with respect to any provision thereof which by virtue of an express provision in Chapter 156D of the General Laws of Massachusetts, these Articles of Organization or the bylaws requires action by the shareholders.

c. Minimum number of directors. The board of directors may consist of one or more individuals, notwithstanding the number of shareholders.

d. Authority of directors to create new classes and series of shares. The board of directors, acting without the shareholders, may (i) reclassify any unissued shares of any authorized class or series into one or more existing or new classes or series, and (ii) create one or more new classes or series of shares, specifying the number of shares to be included therein, the distinguishing designation thereof and the preferences, limitations and relative rights applicable thereto, provided that the board of directors may not approve an aggregate number of authorized shares of all classes and series which exceeds the total number of authorized shares specified in the Articles of Organization approved by the shareholders.

ARTICLE VII. The effective date of organization of the corporation is the date and time the Articles of Organization were received for filing.

ARTICLE VIII. The information contained in this article is not a permanent part of the Articles of Organization.

a. The street address of the initial registered office of the corporation in the commonwealth is 100 Front Street, Worcester, Massachusetts 01608.

b. The name of its initial registered agent at its registered office is David E. Surprenant.

c. The names of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (whose addresses are in each case the principal office of the corporation) are:

President: William L. Mansfield

Treasurer: Paul C. Reyelts

Secretary: Rolf Engh

Directors: Rolf Engh  
Paul C. Reyelts  
Steven D. Person

d. The fiscal year of the corporation ends on the last Friday of October.

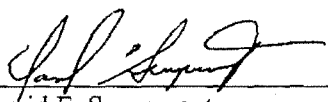
e. The corporation intends to engage in the business of acquiring other businesses.

f. The street address of the principal office of the corporation is 1101 South Third Street, Minneapolis, MN 55415.

g. The records of the corporation required to be kept in the commonwealth will be kept at its registered office.

Signed on April 28, 2005 by the incorporator.

Signature: \_\_\_\_\_

  
David E. Surprenant  
100 Front Street  
Worcester, MA 01608

SECRETARY OF STATE  
RECEIVED  
05 APR 29 PM 1:57  
CORPORATIONS DIVISION

132552

COMMONWEALTH OF MASSACHUSETTS

**William Francis Galvin**  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

**Articles of Organization**  
(General Laws, Chapter 156D)

I hereby certify that upon examination of these Articles of Organization, duly submitted to me, it appears that the provisions of the General Laws relative to the organization of corporations have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$ 215 having been paid, said articles are deemed to have been filed with me this

29 day of Apr 2005 at 1:57 a.m./p.m.

Effective date: \_\_\_\_\_

(must be within 90 days of date submitted)

*William Francis Galvin*  
**WILLIAM FRANCIS GALVIN**  
Secretary of the Commonwealth

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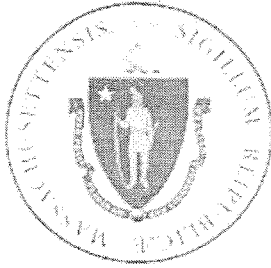
APR 29 2005

SECRETARY OF THE COMMONWEALTH  
CORPORATIONS DIVISION

Filing Fee: \$275.00 for up to 275,000 shares plus \$100 for each additional 100,000 shares or any fraction thereof.

Contact Information to be filled in by corporation:

Wendy L. Henriques, Paralegal  
Mirick, O'Connell, DeMallie & Lougee, LLP  
100 Front Street  
Worcester, MA 01608-1477  
Telephone: (508) 791-8500  
E-mail: wlhenriques@modl.com



**The Commonwealth of Massachusetts  
William Francis Galvin**

Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512  
Telephone: (617) 727-9640

**VALSPAR CORPORATION, THE Summary Screen**



Help with this form

[Request a Certificate](#)

**The exact name of the Foreign Corporation:** VALSPAR CORPORATION, THE

**Merged with :** SAMUEL CABOT INCORPORATED on 10/28/2006

**Entity Type:** Foreign Corporation

**Identification Number:** 000922103

**Date of Registration in Massachusetts:** 04/19/2006

**The is organized under the laws of:** State: DE Country: USA on: 12/03/1934

**Current Fiscal Month / Day:** 10 / 31

**The location of its principal office:**

No. and Street: 1101 SOUTH THIRD ST.  
City or Town: MINNEAPOLIS,MN State: MA Zip: 55415 Country: USA

**The location of its Massachusetts office, if any:**

No. and Street:  
City or Town: State: Zip: Country:

**Name and address of the Registered Agent:**

Name: CT CORPORATION SYSTEM  
No. and Street: 101 FEDERAL ST.  
City or Town: BOSTON State: MA Zip: 02110 Country: USA

**The officers and all of the directors of the corporation:**

Title	Individual Name <small>First, Middle, Last, Suffix</small>	Address (no PO Box) <small>Address, City or Town, State, Zip Code</small>	Expiration of Term
PRESIDENT	WILLIAM L. MANSFIELD	1101 SOUTH THIRD ST. MINNEAPOLIS, MN 55415 USA	
TREASURER	LORI A. WALKER	1101 SOUTH THIRD ST. MINNEAPOLIS, MN 55415 USA	
SECRETARY	ROLF ENGH	1101 SOUTH THIRD ST. MINNEAPOLIS, MN 55415 USA	

DIRECTOR	JEFFREY H. CURLER	2200 BADGER AVE. OSHKOSH, WI 54904 USA	
DIRECTOR	JOHN S. BODE	1101 SOUTH THIRD ST. MINNEAPOLIS, MN 55415 USA	
DIRECTOR	SUSAN S. BOREN	601 - 2ND AVENUE SOUTH, SUITE 4141 MINNEAPOLIS, MN 55402 USA	


business entity stock is publicly traded: \_\_\_\_\_

The total number of shares and par value, if any, of each class of stock which the business entity is authorized to issue:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding <i>Num of Shares</i>
		<i>Num of Shares</i>	<i>Total Par Value</i>	
No Stock Information available online. Prior to August 27, 2001, records can be obtained on microfilm.				

☐ Consent    ☐ Manufacturer    ☐ Confidential Data    ☐ Does Not Require Annual Report  
☐ Partnership    ☒ Resident Agent    ☐ For Profit    ☐ Merger Allowed

Select a type of filing from below to view this business entity filings:

ALL FILINGS   
Amended Foreign Corporations Certificate  
Annual Report  
Annual Report - Professional  
Application for Reinstatement 

[View Filings](#)

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Comments

DF  
PC

# The Commonwealth of Massachusetts

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

081

FORM MUST BE TYPED

## Articles of Merger Involving Domestic Corporations, Foreign Corporations or Foreign Other Entities (General Laws Chapter 156D, Section 11.06; 950 CMR 113.37)

FORM MUST BE TYPED

Exact name, jurisdiction and date of organization of each party to the merger:

(1) EXACT NAME	(2) JURISDICTION	DATE OF ORGANIZATION
Samuel Cabot Incorporated	MA	5/14/1907
The Valspar Corporation	DE	12/03/1934

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041141380

00922103

4/19/06

(3) The foreign corporation or other entity ☒ is / ☐ is not\* authorized to conduct business in the Commonwealth.

(4) Exact name of the surviving entity: The Valspar Corporation

(5) Jurisdiction under the laws of which the surviving entity will be organized: Delaware

(6) The merger shall be effective at the time and on the date approved by the Division, unless a later effective date not more than 90 days from the date and time of filing is specified: October 28, 2006

(7-8) For each domestic corporation that is a party to the merger:\*\*

(check appropriate box)

☒ The plan of merger was duly approved by the shareholders, and where required, by each separate voting group as provided by G.L. Chapter 156D and the articles of organization.

OR

☐ The plan of merger did not require the approval of the shareholders.

(9) Participation of each other domestic entity, foreign corporation, or foreign other entity was duly authorized by the law under which the other entity or foreign corporation is organized and by its organizational documents.

\* Check appropriate box

\*\* Provide this information for each domestic corporation separately

10  
P.C.



(10) Attach any amendment to articles of organization of the surviving entity, where the survivor is a domestic business corporation.

(11) Attach the articles of organization of the surviving entity, where the survivor is a NEW domestic business corporation, including all the supplemental information required by 950 CMR 113.16.

(12) State the executive office address of the surviving foreign other entity if such information is not on the public record in the foreign jurisdiction: 1101 South Third Street, Minneapolis, MN 55415  
(number, street, city or town, state, zip code)

Samuel Cabot Incorporated

Signed by:



Secretary

(signature of authorized individual)

☐ Chairman of the board of directors,

☐ President,

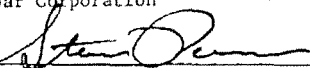
☒ Other officer,

☐ Court-appointed fiduciary,

on this 25<sup>th</sup> day of October, 2006

The Valspar Corporation

Signed by:



Vice President

(signature of authorized individual)

☐ Chairman of the board of directors,

☐ President,

☒ Other officer,

☐ Court-appointed fiduciary,

on this 25<sup>th</sup> day of October, 2006

CERTIFICATE OF OWNERSHIP

MERGING

SAMUEL CABOT INCORPORATED  
(a Massachusetts corporation)

INTO

THE VALSPAR CORPORATION  
(a Delaware corporation)

(Subsidiary into parent pursuant to Section 253 of the General Corporation Law of Delaware)

\* \* \* \* \*

The Valspar Corporation, a corporation incorporated on the 3rd day of December, 1934, pursuant to the provisions of the General Corporation Law of the State of Delaware (this "corporation");

**DOES HEREBY CERTIFY:**

**FIRST:** That this corporation owns 100% of the capital stock of Samuel Cabot Incorporated, a corporation incorporated on the 14th day of May, 1907, pursuant to the provisions of the General Laws of the Commonwealth of Massachusetts and that this corporation, by a resolution of its Board of Directors dated the 18th day of October, 2006, determined to merge Samuel Cabot Incorporated into itself, which resolution is in the following words to wit:

**WHEREAS** this corporation lawfully owns 100% of the outstanding stock of Samuel Cabot Incorporated, a corporation organized and existing under the laws of the Commonwealth of Massachusetts, and

**WHEREAS** this corporation desires to merge said Samuel Cabot Incorporated into itself, and to be possessed of all the estate, property, rights, privileges and franchises of said corporation,

**NOW, THEREFORE, BE IT RESOLVED,** that this corporation merge said Samuel Cabot Incorporated into itself and assumes all of its obligations, and

**FURTHER RESOLVED,** that an authorized officer of this corporation be and he or she is hereby directed to make and execute a certificate of ownership setting forth a copy of the resolution to merge said Samuel Cabot Incorporated and assume its liabilities and obligations, and the date of adoption thereof, and to file the same in the office of the Secretary of State of Delaware; and

**FURTHER RESOLVED**, that the officers of this corporation be and they hereby are authorized and directed to do all acts and things whatsoever, whether within or without the State of Delaware; which may be in any way necessary or proper to effect said merger.

**FURTHER RESOLVED**, that the merger shall become effective on October 28, 2006;

**SECOND:** That anything herein or elsewhere to the contrary notwithstanding, this merger may be amended or terminated and abandoned by the Board of Directors of The Valspar Corporation at any time prior to the time that this merger filed with the Secretary of State becomes effective.

**IN WITNESS WHEREOF**, said parent corporation has caused its corporate seal to be affixed and this Certificate to be signed by an authorized officer this 25<sup>th</sup> day of October, 2006.

THE VALSPAR CORPORATION

By: Steven Person  
(Authorized Officer)

Name: Steven Person

Title: Vice President

0510172455

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

Articles of Merger Involving Domestic Corporations,  
Foreign Corporations or Foreign Other Entities  
(General Laws Chapter 156D, Section 11.06; 950 CMR 113.37)

0997464


I hereby certify that upon examination of these articles of merger, duly submitted to me, it appears that the provisions of the General Laws relative thereto have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$250 having been paid, said articles are deemed to have been filed with me this day of October, 2006 at 1:32 a.m. (p.m.) 26<sup>th</sup>

Effective date: OCTOBER 28, 2006  
(must be within 90 days of date submitted)



WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

Filing fee: Minimum \$250

  
Examiner  
Name approval

  
#A.R.

TO BE FILLED IN BY CORPORATION  
Contact Information:

Jonas D. L. McCray, Esquire  
Mirick, O'Connell, DeMellie & Lougee, LLP, 100 Front Street  
Worcester, MA 01608-1477  
Telephone: (508) 791 - 8500  
Email: jdmccray@modi.com

Upon filing, a copy of this filing will be available at [www.scc.state.ma.us/cor](http://www.scc.state.ma.us/cor). If the document is rejected, a copy of the rejection sheet and rejected document will be available in the rejected queue.

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OCT 26 PM 1:32  
COMMONWEALTH OF MASSACHUSETTS

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FPC**

**The Commonwealth of Massachusetts**

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

**Foreign Corporation  
Certificate of Registration**

(General Laws, Chapter 156D, Section 15.03; 950 CMR 113.48)

- (1) Exact name of the corporation, including any words or abbreviations indicating incorporation:

The Valspar Corporation

- (2) Name under which the corporation will transact business in the commonwealth that satisfies the requirements of G.L. Chapter 156D, Section 15.06:

Same as above

*If applicable, please attach:*

- an agreement to refrain from use of the unavailable name in the commonwealth; and
- a copy of the doing business certificate filed in the city or town where it maintains its registered office; and
- a copy of the resolution of the corporation's board of directors, certified by its secretary, the name under which the corporation will transact business in the commonwealth pursuant to 950 CMR 113.50(4).

- (3) Jurisdiction of incorporation: Delaware

Date of incorporation: 12/03/1934

(month, day, year)

Duration if not perpetual: \_\_\_\_\_

- (4) Street address of principal office: 1101 South Third Street, Minneapolis, MN 55415

(number, street, city or town, state, zip code)

- (5) Street address of registered office in the commonwealth: 101 Federal Street, Boston, MA 02110

(number, street, city or town, state, zip code)

Name of registered agent in the commonwealth at the above address: CT Corporation System

I, Michele Miller

**Michele Miller**

**Assistant Secretary of CT Corporation System**

registered agent of the above corporation consent to my appointment as registered agent pursuant to G. L. Chapter 156D, Section 5.02.\*

\* Or attach registered agent's consent hereto.

PC.

(6) Fiscal year end: October 27

(month, day)

(7) Brief description of the corporation's activities to be conducted in the commonwealth:

Sales of PAIN'S

(8) Names and business addresses of its current officers and directors:

NAME	BUSINESS ADDRESS
President: William L. Mansfield	1101 South Third Street, Minneapolis, MN 55415
Vice-president: Paul C. Reyelts	1101 South Third Street, Minneapolis, MN 55415
Treasurer: Lori A. Walker	1101 South Third Street, Minneapolis, MN 55415
Secretary: Rolf Engh	1101 South Third Street, Minneapolis, MN 55415

Assistant secretary:

Director(s): See attached

Attach certificate of legal existence or a certificate of good standing issued by an officer or agency properly authorized in the jurisdiction of organization. If the certificate is in a foreign language, a translation thereof under oath of the translator shall be attached.

This certificate is effective at the time and on the date approved by the Division, unless a later effective date not more than 90 days from the date of filing is specified: \_\_\_\_\_

**THE VALSPAR CORPORATION  
DIRECTORS OF THE CORPORATION**

NAME/TITLE	BUSINESS ADDRESS
John S. Bode 08/05	1101 S. Third Street Minneapolis, MN 55415
Susan S. Boren 02/91	Spencer Stuart 601 - 2 <sup>nd</sup> Avenue South, Suite 4141 Minneapolis, MN 55402
Jeffrey H. Curler 06/97	Bemis Company, Inc. 2200 Badger Avenue Oshkosh, WI 54904
Charles W. Gaillard 06/99	3415 Rum Row Naples, FL 34102
Dr. Mae Jemison 01/02	The Jemison Group, Inc. 700 Gemini, Suite 210 Houston, TX 77058
William L. Mansfield 03/05	The Valspar Corporation 1101 South Third Street Minneapolis, MN 55415
Thomas R. McBurney 02/87	McBurney Management Advisors 4900 IDS Center 80 South Eighth Street Minneapolis, MN 55402
Gregory R. Palen 02/92	Spectro Alloys Corporation 13220 Doyle Path East Rosemount, MN 55068
Lawrence Perlman 02/92	119 North Fourth Street, Suite 503 Minneapolis, MN 55401
Richard L. White 04/00	1201 Appleridge Court Gibsonia, PA 15044

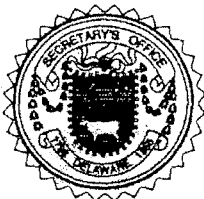


# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "THE VALSPAR CORPORATION" IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-EIGHTH DAY OF MARCH, A.D. 2006.



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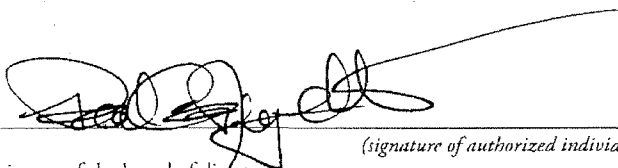
*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4626728

DATE: 03-28-06

Signed by: \_\_\_\_\_



(signature of authorized individual)

- ☐ Chairman of the board of directors,
- ☐ President,
- ☒ Other officer,
- ☐ Court-appointed fiduciary,

on this \_\_\_\_\_

12<sup>th</sup>

day of \_\_\_\_\_

April

2004

60001820

COMMONWEALTH OF MASSACHUSETTS

William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

Foreign Corporation  
Certificate of Registration  
(General Laws, Chapter 156D, Section 15.03; 950 CMR 113.48)

977408

I hereby certify that upon examination of this foreign corporation certificate, duly submitted to me, it appears that the provisions of the General Laws relative thereto have been complied with, and I hereby approve said certificate; and the filing fee in the amount of \$400 having been paid, said certificate is deemed to have been filed with me this 19th day of April, 2006, at 3:05 p.m.

Effective date: ~~04/27/2006~~  
(must be within 90 days of date submitted)  
*William Francis Galvin*

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

Filing fee: \$400

*[Signature]*  
Examiner  
*[Signature]*  
Name approval

TO BE FILLED IN BY CORPORATION  
Contact Information:

C  
M

The Valspar Corporation  
Attn: Tammy Jarman  
1101 South Third Street, Minneapolis, MN 55415  
Telephone: (612) 332-7371  
Email:

RECEIVED  
DIVISION  
APR 13 AM 8:06

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If the document is rejected, a copy of the rejection sheet and rejected document will be available in the rejected queue.



## About Cabot

- ▶ Overview
- ▶ Business Directory
- ▶ Cabot's Leaders
- ▶ Community Outreach
- ▶ Corporate Giving
- ▶ FAQs
- ▶ Governance
- ▶ History
- ▶ Jobs
- ▶ Vision & Values
- ▶ Worldwide Locations
- ▶ Contacts

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GO

### Overview

#### Businesses

Carbon Black, Fumed Metal Oxides, Inkjet Colorants, Nanogel, Cabot Specialty Fluids, Cabot Superior MicroPowders and Cabot Supermetals.

#### Revenues

\$1.9 billion (2004).

#### Operations

**21 countries:** 36 manufacturing facilities, 8 research and development facilities, 12 technical service centers and 59 sales offices.

#### Employees

4,400. Some 55% work outside North America.

#### Strategy

Create value by (1) Optimizing our chemical businesses, by controlling costs and managing capacity, and (2) Developing new products and businesses. Cash generated by the first is invested in the second.

#### Competencies

Expertise in (1) Making and handling fine particles, such as carbons, mixed oxides, refractory metals and aerosols; (2) Modifying the surfaces of very fine particles, such as silicas, color pigments and catalysts; and (3) Designing particle-media composites for specific properties, such as color, dispersion stability, charge generation, electrochemical behavior and insulation.

#### Capital Expenditures

\$119 million (2004).

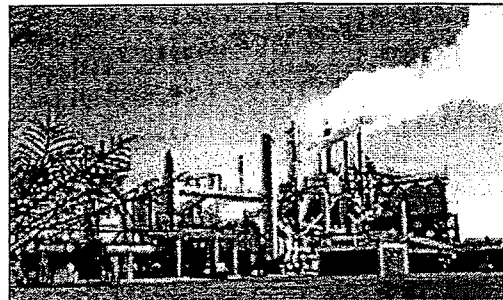
#### Stock

Cabot common stock is listed on the New York, Boston and Pacific stock exchanges and the Chicago Board Options Exchange under the symbol CBT. Fiscal 2004 EPS \$1.82 versus \$1.14 in fiscal 2003.

#### Who We Aren't

While we bear the same New England name, we aren't related to:

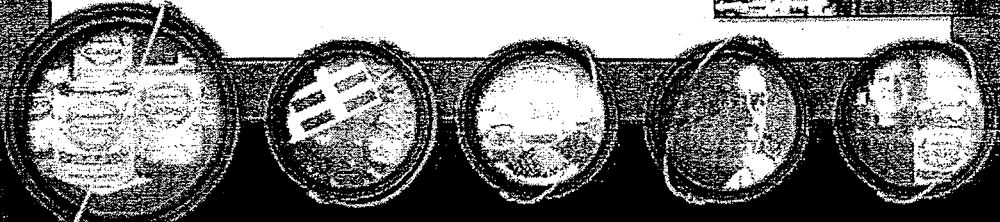

- Cabot Stains
- Cabot Cheese
- Cabot, Cabot & Forbes.



*Cabot - The First Name in Wood Care*

Since inventing the very first wood-preserving shingle stain in 1877, Cabot has been the leading innovator and manufacturer of premium paints, stains and finishes. Today, you can find 127 years of heritage, pride and commitment in every can of Cabot.

*Samuel Cabot*



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